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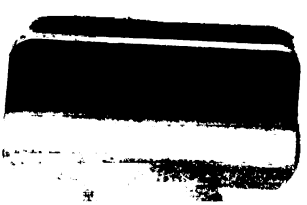

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CLAIMS OF AMERICAN CITIZENS

APIA, IN THE SAMOAN ISLANDS

MESSAGE FROM THE
PRESIDENT OF THE UNITED STATES

TRANSMITTING

REPORT FROM THE SECRETARY OF STATE CONCERNING CLAIMS OF AMERICAN CITIZENS GROWING OUT OF JOINT NAVAL OPERATIONS OF THE UNITED STATES AND GREAT BRITAIN IN AND ABOUT THE TOWN OF APIA, IN THE SAMOAN ISLANDS, MARCH, APRIL, AND MAY, 1899

JANUARY 10, 1913.—Read, referred to the Committee on Claims and ordered to be printed

WASHINGTON
1913

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LETTER OF TRANSMITTAL.

To the Senate and the House of Representatives:

I transmit herewith a report by the Secretary of State of the action taken by him in pursuance of the act of Congress approved June 23, 1910, authorizing and directing him to ascertain the "amounts due, if any, respectively, to American citizens on claims heretofore filed in the Department of State, growing out of the joint naval operations of the United States and Great Britain in and about the town of Apia, in the Samoan Islands, in the months of March, April, and May, 1899, * * * and report the same to Congress."

Accompanying the report of the Secretary of State is the report of the officer who, pursuant to the Secretary's direction, visited the Samoan Islands for the purpose of collecting evidence regarding the claims mentioned. Of the total amount of American claims, of about $64,677.88, payment of $14,811.42 is recommended by the agent. This finding is approved by the Secretary of State, who submits for the consideration of Congress the question of an immediate appropriation for the payment of the claims recommended.

WM. H. TAFT.

THE WHITE HOUSE,
Washington, January 10, 1913.

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LETTER OF SUBMITTAL.

The PRESIDENT: I have the honor to submit, with a view to its transmission to Congress, the accompanying report, together with copies of the evidence collected, relative to the action taken by this department in response to the act of Congress approved June 25, 1910 (Public, No. 244), authorizing and directing me to ascertain the "amounts due, if any, respectively, to American citizens on claims heretofore filed in the Department of State, growing out of the joint naval operations of the United States and Great Britain in and about the town of Apia, in the Samoan Islands, in the months of March, April, and May, 1899, * * * and report the same to Congress." For carrying into effect this act there was appropriated in the diplomatic and consular appropriation act approved March 3, 1911, the sum of $750.

Pursuant to my instructions of April 15, 1911, Mr. Joseph R. Baker, of the solicitor's office of this department, visited the Samoan Islands during the summer of 1911 and remained there for about two months collecting evidence regarding the claims in question. Under date of October 12, 1911, Mr. Baker submitted his report in the matter, including recommendations as to the amount properly payable, if any, on each of such respective claims. This report and the evidence in writing collected by Mr. Baker have been carefully considered by the department, and the conclusion has been reached that the amounts indicated by him are to be regarded as equitably due the various claimants.

In this connection it should be said regarding claim No. 9, that of Charles F. Netzler, that notwithstanding the fact that his testimony as given before Mr. Baker appeared to show that his naturalization as an American citizen was obtained illegally, he was given another opportunity on December 23, 1911, when he was examined before the American consul at Apia, to establish that he had been properly naturalized under the provisions of section 2174 of the Revised Statutes relating to the naturalization of foreign seamen who, after declaring their intention to become American citizens, have served for three years on an American merchant vessel.

The testimony given by Mr. Netzler before the consul shows that he declared his intention of becoming an American citizen in September, 1876, and that his only subsequent service on an American merchant vessel was from that month until November 18, 1877. In view of this fact it would appear that Mr. Netzler's claim should be rejected.

By decision given at Stockholm October 14, 1902, by His Majesty Oscar II, then King of Sweden and Norway, to whom the matter had been referred by the convention of November 7, 1899, between the

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United States, Great Britain, and Germany, it was held that the Governments of the United States and Great Britain were responsible for the losses caused by certain military action, found by the arbitrator to be unwarranted, in the Samoan Islands in the spring of 1899, namely: (1) The bringing back of the Malietoans (to the island of Upolu) and the distribution to them of arms and ammunition; (2) the bombardment; (3) the military operations on shore; and (4) the stopping of the street traffic in Apia. There was reserved for future decision "the question as to the extent to which the two Governments or each of them may be considered responsible for such losses."

However, such further decision was never made nor requested, inasmuch as it was agreed upon by the United States and Great Britain that each Government should pay one-half the amounts found to be due to the citizens or subjects of other powers and should deal alone with the claims of its own nationals. Following this agreement, all of the claims were submitted to Messrs. Crane and Richards, agents representing the United States and Great Britain, respectively, and the joint report of such agents was transmitted to the department by the American ambassador to Great Britain in his dispatch No. 1174, of August 14, 1903. In this report the agents took the ground that to entitle them to be paid the damages in question must be shown to have been the direct result of said military operations. Inasmuch, therefore, as the great majority of the claimed losses appeared to have been caused by "looting and pillaging by the Samoan natives," it was held that there was no liability on account of such losses. Upon this theory but one American claim was recommended for payment by the agent of the United States, who made a separate report on the American claims, and in respect to the German claims, aggregating $110,000, it was said that the maximum amount properly payable thereon was not more than "$6,000 or $7,000." It was added, "We understand, however, that it is desired to arrive at some compromise, if that be possible; and, after giving the matter the fullest consideration we beg to suggest that an offer should be made to the German Government, in the first instance, of the sum of $25,000 in settlement of all claims, and that the offer should be accompanied by a criticism of the claims based on the observations in the report."

Following this report an offer of $25,000 in full settlement of the German claims was made to that Government, which rejected the offer, protesting against the conclusions of the said agents on the ground that the provisions for arbitration did not "say that the losses must have been immediately caused 'by' such military action, but that they must have been suffered 'in consequence' of said action," which latter, it was stated, was the case with the majority of the German claims.

After such refusal the German claims were again submitted to the agents, Mr. Crane representing the United States and Mr. Hurst representing Great Britain. The report of these agents was forwarded to the department by the ambassador to Great Britain on August 18, 1904, and it was stated therein that inasmuch as it was improbable that the German Government would reconsider its refusal to accept $25,000 in order to avoid the expense and trouble of submitting the claims to the said arbitrator, a step which it was intimated by the German Government that it would take if a diplomatic settlement

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could not be made, it would be well to increase the offer to $40,000. The report continued:

As the British and American Governments have been found to be at fault, the claims might be established on a more liberal basis and a different standard of liability adopted to that which we believe to be correct.

And that—

Assuming that the German Government were able to produce further evidence in support of those items and claims that we regard as at present insufficiently proved, we think it is possible that they would recover as much or perhaps rather more than the sum of $25,000 now offered.

The report concluded thus:

It must be borne in mind, however, that if a settlement is effected with Germany on this more liberal basis other countries will be entitled to expect similar treatment, and British subjects and American citizens may also demand equally favorable treatment.

The German Government, after an interchange of several notes on the subject, finally, on or about March 31, 1905, signified through the German ambassador in Washington its acceptance of the offer of $40,000 in full settlement of the claims, and thereafter Congress appropriated as the moiety of the United States in payment thereof the sum of $20,000.

The French and Danish claims were also resubmitted to Messrs. Crane and Hurst, and upon their report the respective sums of $6,782.26 and $1,520 were paid thereon. Congress appropriated in each case for the moiety of the United States, as it did also in the cases of the Swedish and Norwegian claims, upon which were paid, respectively, $750 and $400. In connection with these payments attention is invited to the following documents: Senate Document 160, Senate Document 85, House Report 4414, House Document 612, all of the Fifty-ninth Congress, first session; and House Document 864, Sixtieth Congress, first session.

The department is advised that after its contribution to the payment of the said claims of persons of other nationalities the Government of Great Britain several years ago reimbursed its own subjects in the sum of £3,645 for similar losses.

It appears to follow, then, that the American claimants alone, as a class (aside from the native Samoans), remain unpaid for the losses suffered in these Samoan troubles, and it would seem that the equities of the situation require that provision should be made without delay for such payment where it is shown to be deserved.

In this connection, it should be said that the investigation by the department reveals that, generally speaking, the American claims are of the same character as those of other nationalities, and that, in the settlement of such other claims, the strict limitation proposed by the said report of the first United States and British agents was not followed, but that there was a more liberal basis of settlement. In other words, it was apparently considered in making such payments that, under the said decision of the King of Sweden and Norway, the United States and Great Britain were justly responsible for damages inflicted during the war which followed the intervention by those Governments in Samoan affairs by Samoan natives upon the property of foreign residents located within the war zone. It is believed that this being the test applied in paying foreign claims,

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it is a fair and reasonable view to take in passing upon the American claims, most of which come within this category. It is felt by the American claimants, and not without some cause, that there has been an unwarranted delay in the consideration of their claims. As will be noted, the total amount of the American claims is about $64,677.88 and the total amount recommended for payment is 14,811.42.

In conclusion, to show by an eyewitness the condition of affairs in Samoa immediately after the war in question, I desire to quote the following extracts from the report of Hon. Bartlett Tripp, the American representative upon the commission which composed affairs in Samoa following the war:

> The country surrounding Apia indeed had much the appearance of a battle field at the time of our arrival. * * *. The shells from the war vessels, fired to dislodge the forces of Mataafa, had left their marks upon the houses and plantations surrounding the town and within a radius of 3 miles from the inner harbor, while the lawless acts of looting and foraging parties from either camp had left them a scene of devastation and desolation which always succeeds the invasion of armed forces of savage and civilized men * * *. The white people whose homes had been pillaged and who had sought refuge in Apia, under the guns of the men-of-war, despondingly awaited events which might again bring peace, and the inhabitants of the unhappy town, whose houses had been unluckily struck by the shells of a friendly fleet, and who sought shelter upon the shore, were about equally divided in their words of censure for the hostile forces of the natives and the vessels of their own fleet. (Foreign Relations, 1899, pp. 621, 622, and 649.)

Respectfully submitted.

P. C. KNOX.

DEPARTMENT OF STATE,
Washington, January 9, 1913.

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CLAIMS OF AMERICAN CITIZENS—APIA IN THE SAMOAN ISLANDS.

DEPARTMENT OF STATE,
Washington, October 13, 1911.

The SECRETARY OF STATE,
Washington, D. C.

SIR: Having reference to your instructions of April 15 last, wherein you directed me to proceed to the Samoan Islands for the purpose of investigating the alleged claims of American citizens heretofore filed with the Department of State, growing out of the joint naval and military operations of the United States and Great Britain in the vicinity of Apia during the months of April, May, and June, 1899, and having made such investigation to report thereon, I have the honor to submit the following report regarding the investigation I made pursuant to your instructions.

In conducting this investigation valuable assistance was rendered by Mason Mitchell and by Norman H. Macdonald, respectively, consul and vice consul of the United States of America at Apia. Mr. Macdonald's long residence in Samoa, the active part he took in the events out of which these claims arose, and his familiarity with property values in Samoa by reason of his occupations as land surveyor and planter, made his services in the matter particularly valuable, and he evinced the utmost willingness to extend all possible aid in the investigation.

HISTORICAL HAPPENINGS.

For a better understanding of the events out of which these claims arose, I have set forth briefly the important happenings in Samoa during the few months immediately preceding the war which took place in the spring of 1899, as these happenings are chronicled in the records of the American consulate at Apia.

Malietoa Laupepa, who had been for some years King of Samoa, died August 22, 1898. Prior thereto it had been decided by the powers governing Samoa to bring back from exile on other islands in the South Pacific, Mataafa, the leader, and other chiefs who had been sent away some time previously because they had engaged in a rebellion against the established government, and the German ship *Bussard* had been dispatched for this purpose. This return was contingent upon a promise by Mataafa that he would abstain from participation in Samoan politics, which promise he gave, and was accordingly brought back to Samoa on September 19, 1898, or before a successor to Malietoa Laupepa had been chosen by the Samoan people, which right was theirs under the Berlin act of 1899, in which the United States, Great Britian, and Germany outlined the future government of Samoa.

On or about December 12, 1898, the adherents of Mataafa certified to Chief Justice Chambers, of the supreme court of Samoa, consti-

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tuted by the Berlin act, that Mataafa had been elected King. Shortly thereafter a protest was lodged with the court against the recognition of Mataafa as King upon the ground that no election had been held according to Samoan laws and customs. In this protest it was stated that such an election would soon be held, and accordingly, in a few days, it was certified to the court that the election had taken place and that Tanu Nafili, the young son of the late Malietoa, had been elected King.

Each party appears then to have submitted the contest to the chief justice for decision in accordance with the following provision of section 6 of article 3 of the Berlin act:

> In case any question shall hereafter arise in Samoa respecting the rightful election or appointment of king or of any other chief claiming authority over the islands, or respecting the validity of the powers which the King or any chief may claim in the exercise of his office, such question shall not lead to war, but shall be presented for decision to the chief justice of Samoa, who shall decide it in writing, conformably to the provisions of this act and to the laws and customs of Samoa not in conflict therewith, and the signatory Governments will accept and abide by such decision.

The chief justice began the hearing of the case on December 19, 1898, and on the 31st of the same month announced as his decision that Mataafa had not been elected King according to Samoan laws and customs, and that, moreover, he was ineligible to hold the office because of his prior rebellious conduct as recognized and set forth in the protocols of the Berlin act. It was held, on the other hand, that the election of Malietoa Tanu was legal, and therefore that he was King. The Mataafan people, who appear to have constituted a large majority of the Samoans, seem to have made preparations in anticipation of such a decision, for on the day following its rendition they came in large numbers to the village of Apia, attacked the forces of Malietoa Tanu, and after one day's fighting drove the latter out of the village and into boats which, for purposes of protection, clustered about the British war vessel *Porpoise*, which was in the harbor. Some little disorder and looting naturally followed, and that this might be checked it seems that the consular representatives of the United States, Great Britain, and Germany, together with the commanders of the British and German warships in the harbor, met and agreed upon the organization of a so-called provisional government, in which some recognition was given to the Mataafan forces in that 13 chiefs of this party were formed into what appears to have been a sort of advisory council with authority over the natives. One Raffel, a German who had been president of the municipal council of Apia by appointment under the Berlin act, seems to have been chosen as president of this advisory council with powers that, so far as ascertainable now, appear not to have been clearly defined.

The exact nature and scope of this provisional government are not now apparent, and perhaps were never readily definable, as such government seems to have been organized hastily and informally as a means of bringing order out of the existing confusion. At any rate there seems to have been a sharp difference of opinion as to such matters among the foreign representatives in Samoa, for it is stated in the records of the American consulate by the then Consul General Osborn that this Government was in no wise to interfere with the functions of the officials acting and appointed under and by virtue of the Berlin act, whereas Raffel soon after assuming the duties of president of the advisory council declared vacant the office of chief

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justice of Samoa and shortly thereafter proclaimed that he himself would exercise the duties of the latter office. It does, however, appear to have been understood by the parties to the agreement that it should remain in force until the interested powers had passed upon the question of sustaining or voiding the said decision of Judge Chambers, although no such review of the decision seems to have been contemplated by the Berlin act.

Thus matters rested until the arrival, on March 6, 1899, of the United States warship *Philadelphia*, Admiral Kautz commanding. The native forces of Mataafa had largely dispersed and Malietoa Tanu and some of his principal adherents had been banished to nearby islands.

On March 12, 1899, Admiral Kautz issued a proclamation in effect repudiating the provisional government and ordering the followers of Mataafa to disperse to their homes. This order seems not to have been obeyed, and on March 15, 1899, the American and British warships began bombarding the outskirts of Apia, in which large numbers of the Mataafans were located.

THE WAR.

Begun by this bombardment, the war seems to have continued intermittently until April 25, 1899, prior to which, or on April 23, a proclamation was issued to Mataafa and his forces notifying them of the expected early arrival of commissioners sent by the three interested powers to adjust the difficulties which had arisen. This was followed two days later by a proclamation warning Mataafa that if his forces were not by the following day removed from certain specified territory they would be fired upon wherever found in Samoa. Mataafa replied on the same day that he would obey the order, and it appears that he did so.

As to the events of the war itself, it may be said that sailors and marines from the warships which have been mentioned, and from one or two other British warships which in the meantime came to Samoa, were landed in Apia and stood guard over the main street thereof, which runs along the beach, and that from time to time, accompanied by the so-called "friendly" natives, who appear to have been outnumbered about five to one by the "hostiles," the Americans and British penetrated for short distances into the interior of the island, on one of which expeditions they were ambushed by the Mataafans and lost 12 white men killed, including a commissioned officer from each of the white forces. Periodically also the war vessels bombarded those points where the Mataafans were supposed to be located and steamed up and down the coast throwing shells into the native villages and destroying the boats of the Mataafans.

As to the accomplishments of the war, the following extracts from the diary of Consul General Osborn will give something of an idea:

> After all has been done, it must be conceded that we are acting on the defensive; that all houses and buildings in Apia except those of the main street which extends around the beach are abandoned and that a large portion of even those abandoned and that many of the inhabitants of Apia, including white people, dare not remain in their houses and are staying at Nulinuu Point in native huts and under cover of the men of war and are living principally upon native food. (Date of Apr. 10, 1899.)
>
> We are holding the main street in Apia, while practically all the other parts of this island at least are in the possession of the hostiles. (Date of Apr. 15, 1899.)

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EVENTS FOLLOWING THE WAR.

On May 3, 1899, the commission of three men sent by the interested powers arrived in Apia and immediately set to work to straighten out the tangled situation. On June 10, 1899, the commission proclaimed that the decision of the chief justice declaring Malietoa Tanumafili to be King is considered by the high commission to be valid and binding. However, the proclamation recited further that Malietoa had voluntarily resigned as King and that the commission had decided to abolish the office.

The peaceful efforts of the commission were entirely successful and resulted in a surrender of most of the firearms held by the natives and in the establishment of a stable white government, followed several months later by a division of the islands between the Americans and the Germans, Great Britain taking compensation elsewhere for her interests in Samoa.

THE CLAIMS.

It seems to be clearly established that, generally speaking, the property of foreign residents in and about Apia, back from the beach, was looted by the Mataafan forces which held all of the surrounding country. In particular does this seem to have been true as to the American and British residents, since, of course, a special enmity existed against them. All foreigners, it seems, were obliged to leave their homes in great haste at the beginning of the bombardment, both to avoid its effects and also, in the case of the Americans and British, to avoid the retaliatory measures of the Mataafans. The fugitives appear to have had little time or opportunity to remove their effects and in general to have taken with them no more than they could carry in their hands. In their absence, which necessarily continued for five or six weeks, during which time their homes were surrounded by hostile natives to the number of 5,000, it may probably be truthfully said that the personal effects and furniture of these people which they left behind were very largely destroyed or carried away by the natives, while the sustenance of so large a native army almost necessarily entailed the destruction of the edible live stock of the foreigners and all of their growing fruit and other food products.

It appears to be clearly established also that the Mataafans constructed large numbers of forts in the country surrounding Apia, and that, partly to secure material for those forts and partly to remove the obstructions to the views thereof, some trees of various kinds were cut down.

Another source of damage to the property of foreigners was the so-called "friendly" natives or Malietoans, whose number on the island of Upolu, on which Apia is located, was augmented by many others brought from the warships from other islands of the Samoan group. These natives had to obtain food for themselves and were also apparently not above an occasional looting of foreigners' property.

As to the responsibility for this damage, it may be said that wholly apart from the decision of the King of Sweden fixing such responsibility upon the Americans and British, it would seem clear that the moral responsibility for at least the acts of the Malietoans must rest upon the Americans and British under whose officers they were serving.

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Furthermore, it seems quite clear that had it not been for the reopening of the war by Admiral Kautz there would have been little, if any, looting by the Mataafans.

The third cause of the damage done in the war was the direct action of the military and naval forces engaged on the part of the Americans and British. Some of the claimed American losses are traced to this cause, and of course there can be no question as to the responsibility for damages which can be proved to come under this head.

It has been found very difficult to ascertain, after the lapse of 12 years, exactly what losses were suffered, and this has been true not only to the distance in time but to the additional facts that a considerable proportion of the original claimants are dead; that others have removed from Samoa; that necessarily many of the witnesses are part-blood or full-blood Samoans, whose testimony, and especially that of the full bloods, is notoriously somewhat unreliable; that memories of men in the Tropics are not considered generally as good as of those living in more temperate regions; and since the witnesses, other than the claimants, seem as a rule to be biased in favor of the claimants either because they are related thereto or because they merely wish the claimants well in their efforts to obtain money from a distant Government which it is felt has not acted with sufficient promptitude in the matter of investigating and settling these claims. It seems to be the general opinion in Samoa that by reason of this delay which has seemingly forced the claimants, or most of them, to contract with attorneys to push their claims, the United States Government has been seriously derelict in its duties, and it must be admitted that there is considerable force in this view of the matter.

It was with the greatest difficulty, therefore, that any considerable degree of exactness could be obtained as to an estimate of the losses sustained by the claimants, or any of them, and it seemed that this could only be secured by supplementing in various ways the available written evidence. This was attempted to be done partly by visiting the several places at which the damages were alleged to have been suffered, and in cases where such damage was said to have taken the form of trees destroyed by judging from the present size and number of the trees upon the places something about the probability of the loss, if any, in this regard. The inspection of the premises in question, the size of the buildings, the furnishings, etc., also seemed to tend to give one something of an idea of the circumstances in tangible property of the same person in the same place 12 years ago. The intervening years have, it is understood, been peaceful and fairly prosperous ones in Samoa, and it was felt that ordinarily a claimant who had lived there during these years could, generally speaking, have recouped his losses suffered in the war and be now in at least as good cirumstances as then.

It is recognized, of course, that the above means of judging is very faulty and, therefore, some confidence was placed upon the statements of a few apparently disinterested and truthful persons who were residents of Samoa at the time of the war and well acquainted with their fellow residents at that time, the latter's means, mode of living, and tangible property possessed, as well as in some cases with the probable amount of losses. These persons for obvious reasons did not desire to present their testimony in the form of affidavits or

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depositions, but it is believed none the less to be worthy of much credence.

As will be seen, therefore, the written evidence which has been obtained is not by any means the whole case or even, perhaps, the most important part thereof. In considering the recommendations allowance should be made for this, and it should be remembered that each case has been the subject of some careful investigation outside the record.

Speaking generally, it may be said that the claims show evidence of exaggeration; in some cases to great extent. The idea of the claimants, as admitted by some of them, seemed to be to appraise the articles claimed for at what it would have cost to replace them, and in making such estimates the claimants seem generally to have given themselves the benefit of every doubt.

Several claims were made for property alleged to have been damaged or destroyed at a considerable distance from Apia, ranging from 10 to 25 miles, and it is believed that unless exceptional circumstances seem to warrant such action such claims should not be allowed, inasmuch as by the terms of the agreement referring the matter to the King of Sweden for arbitration the responsibility was limited to the military and naval operations "in and about Apia." As a matter of fact there were no military operations except in the immediate vicinity of Apia, and the naval operations outside of that zone were limited to a few trips of war vessels up and down the coast when an occasional shell would be thrown on shore and a native boat burned. On this point it may be said that the report of the British agent, upon which the British claims were paid almost exactly as recommended, shows that no claims were allowed for any losses outside of Apia and its immediate neighborhood.

Elements in some of the claims are those of loss of time or possible profits. It is believed that no allowance should be made for these problematical losses. No such allowances were made, it appears, in the payment of either the British or German claims.

Careful consideration was attempted to be given to the question of the citizenship of the claimants. In several cases, in each of which the claimant was alleging citizenship by reason of birth abroad to an American father, it appeared that the claimant was unable to present any evidence as to his citizenship, and, moreover, had never registered as an American citizen at the consulate in Apia, as was the general custom through many years prior to 1899. In these cases it is recommended that no compensation be paid by reason of the defects in proof of citizenship.

In some other cases the proof as to American citizenship is not clear, but it does appear that the claimants have long been registered as American citizens at the consulate, and in these cases it is believed equitable to permit the doubt as to citizenship to be resolved in favor of the claimant by virtue of such registration.

Particular attention has been given for several reasons to the claim of H. J. Moors. He is the only claimant who asks for compensation (in the sum of $20,000) by reason of confinement during the period of hostilities. In this connection it should be said that it is understood that three German subjects were so confined and presented claims for damages therefor, which claims were allowed in the sum of about $500 each.

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Judged by the records of the consulate in Apia, extracts from which are appended to the evidence in Mr. Moors's case, his conduct for some time prior to the war in question seems to have been such as to render fairly imputable to him some responsibility for the resistence to the decision of Chief Justice Chambers, which found expression in the so-called January war before mentioned. Furthermore, Mr. Moors's course after that time and up to the period of the second war, and, indeed, during that war itself, seems to have been in opposition to practically all of the other English-speaking people in Samoa.

According to his own statements, Mr. Moors was the chief adviser of Mataafa during the troubles preceding the war, and there appears to be reason to believe that he held some communication with the latter during the war itself, notwithstanding that Mr. Moors was, during this period, confined to his home by order of Admiral Kautz. As to the effect of all this on the question of any compensation to which Mr. Moors may otherwise appear entitled (beside his aforesaid claim—his is the largest claim for property loss), that, of course, is not for me to say. For more extended reference to this subject see the report on the claim of H. J. Moors, No. 12.

Claim No. 1.

MRS. JONAS M. (LITIA) COE AND CHILDREN.

The claim which makes the strongest appeal to the sympathies is that of Mrs. Jonas M. Coe and children.

As shown by the records of the American consulate at Apia, Jonas M. Coe was born in Troy, N. Y., and died in Apia in 1891. He lived long in Samoa, accumulated considerable property, and for a number of years held the position of American consular agent at Apia. By will recorded in the consulate, which it appears was, at the time of Mr. Coe's death, the only formality required to give said will full force and validity, Mr. Coe devised the property on which he had lived, known as "Solapo," to his wife so long as she lived or remained his widow, with the remainder to their three children, now Mary Eliza Allen, Nelly Huch, and Robert Coe.

The consular records show that the marriage of Mr. and Mrs. (Litia Luimotulalo, a Tongan) Coe took place on August 20, 1881, and it seems that the ceremony was performed by the consul. The births of their said three children are recorded in the consulate as having occurred in the order named above on June 6, 1882; February 27, 1884; and July 1, 1886.

On or about March 31, 1899, in the midst of the war then raging intermittently, the members of the Coe family were hastily ordered out of their house and took refuge on a man-of-war which was in the harbor. It appears that they were not then allowed time or opportunity to remove any of their effects. A day or two later, as Mrs. Huch testifies, she was permitted to come ashore and go to the house to endeavor to secure some clothing and bedding. She found, however, that almost everything which had been in the house had been destroyed or stolen, and was only able to obtain of the articles desired two pillars. It appears that some of the outbuildings on the place had also then been destroyed. A day or two thereafter

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the house and other buildings were burned by order of the British officer commanding in that part of Apia. This event is thus referred to in the diary kept by American Consul General Osborn during this period and now in the consulate.

> At 6 o'clock this morning * * * also the house of Mrs. Coe, widow of Jonas M. Coe, who was at one time United States consul, was burned * * * being situated between the United States and British consulates, and the burning was ordered as a military necessity. (Date of Apr. 3, 1899.)

Mr. Osborn makes further reference to this matter in a dispatch to the Department of State dated January 26, 1900, in part as follows:

> Some of the claims are just, in particular the claim of the family of J. M. Coe, once United States consul here, whose house and household goods were burned by British soldiers by order.
>
> The family have since been living in a poor native shack among the ruins of their former home.

It appears that on April 27, 1899, Mrs. Coe lodged with Mr. Osborn a claim of $4,672 for damages for this loss suffered, and that on August 8, 1899, at the instance of J. H. Mulligan, formerly American consul, who had come to Apia to act for the claimants, she estimated this loss at $5,242, including some articles which were not mentioned in her first schedule of losses. It developed, however, during the present investigation that Mrs. Coe, who speaks very little English, had no knowledge nor even any definite idea as to the values of this property, and it is quite apparent that the estimates she made as to such values were suggested to her by others. It seems clear that she placed an exaggerated value upon many of the articles claimed to have been lost or destroyed. There are also some other discrepancies between these lists or estimates and the testimony brought out at the present time.

Hugo Gebauer, the only witness who testified for the Coes as to property values and whose house, situated next to that of the Coes, was also destroyed at about the same time and for the same reason, estimated the value of the main dwelling house of the Coes at $3,000; the furniture, exclusive of books, of which there seems to have been a considerable number, at $1,400; outbuildings, at $175; besides a large Samoan house, which was destroyed, the value of which he does not know. He does state, however, that this house was built of breadfruit wood, and it may be said in this connection that the cost of building such houses as this Samoan house seems to have been appears to range from $150 to $500, or even more.

It seems that the dwelling house of the Coes was about 30 years old, but in good condition; that it was large for Samoa, containing 7 rooms; and that it was much better furnished than the majority of the homes of white residents in these islands. Taking into consideration all of the circumstances of the case, it is believed that an allowance of $4,000 for these claimants would be reasonable.

When this claim, with all other claims arising out of the war in question, was submitted to the American and British agents, Crane and Hurst, in London, it was reported upon unfavorably, by reason of the fact, as stated, that after the death of Mr. Coe his widow had married a Samoan and thereby lost her American citizenship. The apparent authority for this finding is in an affidavit of Nelly Coe (now Mrs. Huch), dated August 9, 1899, and evidently prepared by Mr. Mulligan, in which she is reported as saying that at the time of

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the war there was residing in the Coe house "her mother's second husband by a customary marriage." It will be noted that this man is not referred to as a Samoan, and Mrs. Huch explains that the reference was to one Capt. Kaross, a German, who was then living with her mother. Mrs. Huch also explains the said statement contained in her affidavit by saying that at the time of making the affidavit she was not very familiar with the English language and was not able to make herself clearly understood by Mr. Mulligan and that she signed the affidavit prepared by him without knowing its contents. (She was then but 15 years of age.) Careful inquiry in Apia appears to disclose that Mrs. Coe has not remarried since the death of Mr. Coe, but that she did, for a time, cohabit with said Kaross.

However, discussion as to whether or not Mrs. Coe has remarried seems beyond the point, since it would appear that she, being a Tongan woman with, it is understood, some Samoan but no white blood, did not acquire American citizenship by her marriage to Mr. Coe.

Section 1994 of the Revised Statutes, which became law on February 10, 1855, reads as follows:

> Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen.

It was decided by the Supreme Court of the United States in Kelly *v.* Owen (7 Wall., 495) that the language of that act limits its application to "free white women."

Later, the act of July 14, 1870 (16 Stat. L., 256) having extended the benefits of the naturalization laws to Africans, it was held that the above law applied to free white persons or persons of African nativity or descent (Leonard *v.* Grant, 6 Sawy., 603).

Still later, or by act of August 9, 1888, it was provided that every Indian woman, member of any Indian tribe in the United States or any of its Territories, except the Five Civilized Tribes in Indian Territory, who might thereafter be married to any citizen of the United States, should become by such marriage a citizen of the United States.

There appear to have been no other or further extensions of the benefits of this law, and therefore it would appear not to cover the case of Mrs. Coe, who is brown in color, and a Polynesian by race—both Tongans and Samoans belonging to that race, to which also belong the Hawaiians, one of whom was denied admission to American citizenship since he was neither a white person nor a person of the African race. (In re Kanaka Nian, 6 Utah, 259.) The court said:

> We are of opinion that the law authorizes the naturalization of aliens of the Caucasian or white race and of the African race only, and all other races, among which are the Hawaiians, are excluded.

It is believed, however, and especially in view of the very meritorious character of this claim, that the full amount recommended should be paid for the benefit of the children of Mr. and Mrs. Coe, born in lawful wedlock, and concerning whose American citizenship in 1899 there would appear to be no doubt.

The claimants herein have submitted a power of attorney signed in the presence of District Judge Schlettwein, of Apia, giving authority to Emil Huch, the husband of the claimant Nelly Huch, to receive any moneys which may be paid them on account of this claim, and to acknowledge receipt thereof on their account.

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CLAIM NO. 2.

ST. LOUIS PLANTING CO.

This concern was a copartnership composed of two native-born Americans, Cyrus Scott and Henry Achatz, and two British subjects, F. E. Syddall and H. Cuthbertson.

The claim as originally made was for £456 11s. 8d. for losses at a store at Falefa and for £160 for losses at a store in Tiavea. The claim is now reduced by an item of "Copra recovered at Falefa since claim was sent in tons 5, 10, 0, 0 at £10–7–6 or £57–1–3."

This claim was presented to the British Government and the report thereon of the agent, C. J. B. Hurst, upon which the British claims were settled, reads thus:

The claimants in this case are a syndicate composed of four persons, two of them are British subjects, two are American citizens. As the two Governments have arranged each to deal with the claims of their own nationals, His Majesty's Government could not under any circumstances be liable for more than half this claim.

This claim was sent in to the British consul on the 13th May, 1899, and a duplicate is said to have been sent on the same date to the American consul general.

The amount of the claim is £616, 11s. 8d., mostly for stock in trade and copra looted from two stores at Falefa and Tiavea by the Mataafans. The claimants appeared before Maj. Mair, and he found that the losses were proved to the extent of £490; there is no documentary evidence in support of the claim.

There is nothing to show that the looting was in any way a result of the unwarranted British and American military action, and the position of the stores which are some distance to the eastward of Apia rendered improbable that such was the case. It is therefore recommended that no grant be made.

Thomas Trood, the British vice and acting consul at Apia, under date of July 8, 1911, furnished the claimants with this memorandum:

In a dispatch from the foreign office, London, dated 5th April, 1906, the following occurs: "With regard to the St. Louis Planting Co. (No. 7), it does not appear that there was any necessity for the claimants to have left their store during the hostilities, and it would seem that if they had not done so no damage would have taken place. As two of the four persons composing this firm are American citizens, inquiries are being made to ascertain whether the United States Government paid any compensation to them, and unless they did, the previous decision will be adhered to."

In his testimony given on the present investigation Cyrus Scott, who was in charge of the Falefa store at the time of the war, gave a circumstantial account of his leaving the store on H. M. S. *Porpoise* which, as he says, had come into Falefa and bombarded the village. This testimony was apparently submitted to meet the above objections of the British Government to the allowance of the claim. On the other hand, Edward F. Allen, the pilot who appears to have accompanied the *Porpoise* on practically all the trips which she made during the war, testified that the only time the *Porpoise* went to Falefa during the war was on a mission to rescue Scott, who was reported to be in danger; that no bombarding was done at this time; that it was found that Scott had already left the place, although a half-caste Samoan, who was found on shore, stated to the officers of the *Porpoise* that there had been no unfriendly acts committed by the natives in that section.

The claimant presents no evidence as to the alleged loss at Tiavoa and only the testimony of said Scott as to the loss at Falefa. One item of the claim, for over 22 tons of copra alleged to have been taken away from the store premises, appears somewhat open to suspicion.

Falefa and Tiavoa are located, respectively, 15 miles and 20 miles east of Apia, and there were no military operations in that section

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during the war; it seems to be at least very questionable whether there were any naval operations.

Under all the circumstances, it is recommended that no allowance be made on this claim.

CLAIM NO. 3.

ESTATE OF CHENE P. HARRINGTON.

Chene P. Harrington is also the original claimant referred to in claim No. 4 below. It appears from the records of the American consulate at Apia that this claimant was born in Camden, Me., on April 13, 1855, and that this was his last place of residence in the United States, which he left on November 24, 1883; that he died at Apia on March 25, 1909, leaving surviving him, as the testimony in the case shows, a wife, who was a full-blooded Samoan, and a number of children. The records of the consulate seem to show that Mr. Harrington was married to this woman on November 17, 1888.

Mr. Harrington submitted two claims for losses at his place in Lotopa, Apia, suffered in the war of 1899, one dated May 20, 1899, for $685, and the other dated July 15, 1899, much more detailed and including additional items, for $873.75. The articles reported lost included furniture, clothing, pigs, fowls, taro, and yams.

It appears from the testimony that at the time of the war Mr. Harrington had a place of 5 or 6 acres on which he lived with his family in a small European or wooden house; that on this place he raised food for his family; that there was also on the place a native Samoan house of fair size.

It would seem to be established that just prior to the war Mr. Harrington had on this place four or five large pigs worth $20 or $25 apiece, about 40 fowls worth about 25 cents each, several ducks of a value of $1 each, a considerable patch of taro and another of yams.

As seems to have been the invariable rule with families possessing white blood and inhabiting the section in which Mr. Harrington lived, which was in possession of the Mataafan forces during the war, his family abandoned the place, came to the beach at Apia, and there remained during the war. Their departure was probably hurried by reason of the first bombardment of the warships, which began with very little notice.

Directly after the war it appears that the live stock and food on this place was missing, that the Samoan house had been broken down, and the European house somewhat damaged, while its furniture had either been taken away or broken up.

Upon a visit to this place, upon which the family of Mr. Harrington still resides, there was disclosed the foundation upon which a Samoan house had apparently stood, and many of the window panes of the main house were missing and, as Mrs. Harrington explained, had not been replaced since the war. The furniture of the house at present is scanty in the extreme, and according to what could be learned, had never been much better.

It seems highly probable that the damage claimed, or some of it, was done by the Mataafan forces, as they generally looted the places of white people in this section. Some of it may also have been done by the Malietoans, as during the war they made expeditions from time to time into this neighborhood.

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As in practically all of the claims, it seems that the claimed losses in this case are exaggerated, and it is believed that $300 would fairly cover the loss sustained at this place.

There was submitted in this case (Exhibit A) a certified copy of the appointment on June 18, 1910, by the German court at Apia of Emil Huch, of that place, as guardian for Moliga Harrington, widow of C. P. Harrington, and for the six minor children of this couple. It appears also that Mr. Harrington left surviving him one or more children of adult age. Regarding this and other claims in which the original claimant is deceased, Judge Schlettwein, of the said court, which is officially known as "Der Kaiserliche Bezirkiricht in Apia, Samoa," advised me that if the United States Government was in doubt as to the persons entitled to receive any money awards which might be paid in settlement of these claims, such payments could be made to the court, which would disburse the money according to law.

CLAIM NO. 4.

HARRINGTON & HUCH.

At the time of the war Chene P. Harrington, a native-born American citizen, and Emil Huch, a German, were copartners doing business as lightermen in the harbor of Apia; that is to say, conveying cargo to and from vessels, which by reason of the lack of wharfage facilities and the shallowness of the water, were then and are yet compelled to load and unload at a distance of perhaps one-eighth of a mile from the shore.

It seems to be clearly established by the evidence that a lighter belonging to this firm, of about 15 tons capacity, was at the time of the war lying on the beach in the vicinity of the British consulate and that it was deliberately damaged, so as to be useless, by shell fire from a British man-of-war in the harbor, presumably because it might have afforded shelter from which hostile natives might have fired upon the sailors and marines guarding the beach.

The claim made in this connection is for $800 for the loss of the lighter and $100 "loss sustained through being deprived of its services." The testimony seems to show that this lighter cost about $700 or $800, and that it was comparatively new. Mr. Huch swears that he put in a claim to the German Government for one-half of the loss sustained by the damage to this lighter and that $212.50 was allowed and paid to him on this account. The written statement of the imperial German governor of Samoa on the subject of this claim, made to me in response to my request therefor in writing, is as follows:

> The firm of Harrington & Huch declared their total loss to be $1,167.50, of which Emil Huch as a German subject claimed half, viz, $583.75 from the German treasury. His claim was assessed by the commission of claims investigation at $507.37, paid to him after 25 per cent had been deducted.

It is concluded from this statement that this firm claimed from the German Government for other losses than that of the lighter. As to the said deduction of 25 per cent, it was explained to me verbally by the German officials that the total amount of loss which the said commission found to be sustained by German subjects was

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greater than the sum paid to the German Government by the United States and Great Britain, in accordance with the settlement agreed upon, wherefore it became necessary to make deductions from the amounts found properly payable to the individual German losers.

It may be proper to say in passing that this claim was the only American claim recommended to be paid by Commissioner Crane, before mentioned. The recommendation was for the payment of $500 for the entire claim.

Assuming, then, as he testifies, that Mr. Huch received $212.50 for his one-half share of this loss and that his actual loss on this account had suffered a 25 per cent deduction, it would seem that such actual loss was estimated by the German commission at about $265.63, which it is believed is a fair estimate. It is, therefore, recommended that this amount be paid to the estate of Chene P. Harrington (who died about two and a half years ago) on this account.

See claim No. 3 as to the guardianship of the Harrington heirs, etc.

CLAIM NO. 5.

PETER C. ULBERG (ESTATE OF).

This claimant appears to have been born in Norway and it is alleged that he was naturalized in the United States. His son testifies that the claimant's naturalization certificate was lost or destroyed during the war in question. The records of the American consulate at Apia show the following entry under the heading "citizenship," apparently made in the year 1889:

No. 22, Peter Christian Ulberg; place of birth, Norway; date of birth, January 19, 1832; last place of residence in the United States, New York; date of last leaving the United States, 1869; county, court, and State of naturalization, New Orleans, La., United States Court; date of naturalization, 1853.

These records show that all of the claimant's children have been registered in the consulate as American citizens at least since 1889. It is stated by one of Mr. Ulberg's sons that his father remained an American citizen up to the time of his death, which occurred in 1899, shortly after the war. It seems fair then to assume the American citizenship of the claimant when this claim accrued.

The claim as originally made was for $1,500, but the family of the claimant have preserved no copy of the claim and are unable to testify positively as to the various items comprising it. It appears, however, to be well established by the testimony that the claimant lost 4 horses, 3 cows, several pigs, a number of fowls, perhaps 40 or 50, some clothing and furniture, and a considerable number of coconuts, and that a Samoan house of his was destroyed.

An inspection of the premises showed that the present furniture of the house is scanty, and the widow of the claimant, who was at home at the time of the inspection, admitted that some of the larger articles of furniture, such as two chests of drawers, were possessed by her husband before the war.

It is believed that $500 would adequately reimburse the claimants for the pecuniary loss they suffered in this war. It does not appear that the claimant left a will or that any settlement of his estate has been made.

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CLAIM NO. 6.

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

The Church of Jesus Christ of Latter-day Saints is claiming compensation for damages to three of its mission properties in Samoa, to wit: One thousand one hundred dollars for damages to the church and mission building at Fagalii and the loss of books, records, and papers in said buildings, besides the effects of the missionaries therein located; $160 for the destruction of a branch meeting house at Matautu, Apia, and furnishings and books therein, and $20 for damages to a house at Pesega.

The church property at Fagalii, which was located about one-half mile outside of the municipality of Apia, was in the midst of that section where the Mataafans were encamped during the war, and the principal battle of the war was fought in that immediate neighborhood. It seems fair to conclude, therefore, from a general knowledge of the situation that this property suffered considerable damage during the war. It is understood that this property is not now occupied by the church and has changed considerably in appearance since the war, and consequently no inspection of it was made.

At the time of my investigation there was no representative of this church in Samoa who had been there in 1899, but five such representatives now residing in the United States who were located in Samoa in said year have filed affidavits with the department setting out the loss as above stated. Furthermore, two reputable witnesses who were examined in Apia testified that they were very familiar with these properties of the church before the war, and visited them immediately after the war, and they described the damages there suffered during the war in full corroboration of the claim as filed. Indeed, one of these witnesses estimated the monetary loss to the principal one of these properties at a somewhat higher figure than was claimed.

The item of $120 in this claim for trunks and contents thereof destroyed evidently refers to the personal effects of the missionaries, and while it is apparently very modest in amount, it seems doubtful if it should be included in a claim made by the church itself.

Taking everything into consideration it is considered that an allowance of $1,100 would fairly meet the equities of this case.

CLAIM NO. 7.

CHARLES F. METZLER.

This claimant asks for compensation in the amount of $1,403.62 because of losses alleged to have been suffered on three properties in the municipality of Apia, namely, Pesega, Notootua, and Taufusi.

On the face of the evidence given, it would appear that the naturalization of this claimant was procured by fraud. He produced a certified copy of his record of naturalization issued by the United States district court, district of California, showing that he was naturalized on April 20, 1886, having declared his intention on August 10, 1876, to become a citizen of the United States. This certificate recites that the witnesses swore that the claimant had resided in the

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United States for the five years last past. On his recent examination, however, claimant admitted that he had never resided in the United States, but said that since 1867, with the exception of about three years, or between 1875 and 1878, spent at sea, two of which years were on an American merchant vessel, he had continuously resided in Samoa, and that he went up from Samoa to San Francisco to be naturalized. Claimant further stated that he declared his intention to become an American citizen in order that he might serve as an officer on an American merchant vessel and that he sailed on such vessel for two years thereafter.

It was my first impression that this claim should be rejected because of the apparent fraud in the naturalization of the claimant, but maturer reflection leads me to believe that it is possible that, notwithstanding the above-mentioned recitals in his naturalization certificate, the claimant may have secured naturalization, and legally so under section, 2174 Revised Statutes, which provides for the naturalization of foreign seamen who, after declaring their intention of becoming American citizens, shall have served three years on an American merchant vessel.

The claimant is an old man and not very intelligent, and it is therefore thought possible that even though it appears from his testimony that after making his declaration of intention, he served but two years on an American merchant vessel, he may have so served for three years and have complied with the other requirements for naturalization under said law.

The claimant has therefore been called upon to produce further and more detailed evidence regarding his naturalization, and it is recommended that unless he shall establish within a short time that he was naturalized according to law, his claim be rejected.

CLAIM NO. 8.

WILLIAM BLACKLOCK.

William Blacklock, who was for many years American vice consul at Apia, and during a part of that time also acting consul, submits three separate claims, namely, one of $1,161.25 for damages to his property in Apia, principally his residence, Tanugamonono, the furnishings and clothing therein, and live stock on the place; one of $261.27 for damages to his trading station at Saluafata, 9 or 10 miles from Apia, and one of $1,053.75 for damages to his trading station at Aliepata, 25 miles from Apia.

Mr. Blacklock now resides in Sydney, Australia, and although he had ample advance notice of the recent investigation of these claims in Apia, he did not appear in person at the investigation, but instead sent as his representative Herbert Brown, of Apia, who holds a general power of attorney to act for Mr. Blacklock in relation to the latter's business affairs in the island of Upolu, upon which Apia is located.

A certified copy of this power of attorney was submitted (Claimant's Exhibit C), as was also a copy certified under the seal of the Douglas County circuit court of the State of Oregon, by the clerk of the court, of the naturalization of Mr. Blacklock, by that court in May, 1880.

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The only witness produced on behalf of this claimant who appeared to have any knowledge as to the losses sustained by him on his Apia properties was his divorced wife, a full-blooded Samoan woman, who was living with him at the time of the war, and she testified to the general destruction of live stock and movable property at the claimant's residence, located about a mile in the rear of the beach. It seems to be established by the testimony of this witness and of the witness Armstrong, that among Mr. Blacklock's losses was that of a race horse which had cost him £37 two years before.

It appears that in 1899 Mr. Blacklock was a man of considerable means and it was apparently ascertained by inquiry in Apia that the furnishing in his home, his live stock, etc., were of excellent quality.

It seems, however, from the testimony of Edward Hall, given with respect to the claim of Mrs. Alexander (Laulii) Willis that on the morning of the first bombardment Mr. Blacklock sent a wagon to the residence of Mrs. Willis to remove some of her effects to his store building on the beach in Apia, and it would appear that if this were so, Mr. Blacklock would certainly have attended to the removal to a place of safety of some of his own property. In this connection, it may be said that the speech of people in Apia credits Mr. Blacklock with having been one of the chief advisers of Admiral Kautz in urging the warlike action which was taken by the latter and it would seem reasonable to believe that Mr. Blacklock would therefore have had as early notice as any one in Apia of the proposed bombardment and should have governed himself accordingly. His late wife, however, swears that she left the house hurriedly because of the bombardment and took nothing with her.

As supporting Mr. Blacklock's claim of losses on his Apia property appears the following extract under date of May 17, 1899, from the diary of Consul General Osborn:

> For instance Vice Consul Blacklock and Mr. Carruthers were among the most prominent Tanu men, but their places have been badly despoiled not by the Mataafa forces but by the Tanu men.

It seems to me that much weight should be given to this contemporary testimony of the consul general and largely on the strength of this, it is recommended that $600 be allowed on this part of Mr. Blacklock's claim.

With regard to Mr. Blacklock's claimed losses at his Saluafata station, it seems pertinent to consider the testimony of Edward F. Allen before mentioned, as to the naval operations in and about this village. Mr. Allen says:

> On March 22, we fired shells from the *Philadelphia's* launch into Saluafata and the nearby place of Solosota and took boats away. We burned certain houses in Saluafata.

This would seem to indicate both the presence of hostile natives at Saluafata and the probability of retaliatory measures against the property of Americans by such natives. With regard to this claimed loss at Saluafata, Mr. Blacklock submits an ex parte affidavit by James P. Harper, now of Sydney, who was in charge of this station at the time of the war.

In view of the said naval operations, it would seem that the United States might well be liable for the loss which it appears very probable

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that Mr. Blacklock sustained at Saluafata, and it is recommended, therefore, that he be reimbursed for this in the amount of $200.

The case appears different with regard to the claimed loss at Aliepata, 25 miles from Apia. It is certain that there were no military operations on this part of the Island and Mr. Allen testifies that there were no naval operations. With regard to this feature of the claim, the only evidence presented (if it can be called such) is an unsworn statement in writing by one Labein, who it seems was in charge of Mr. Blacklock's Aliepata store at the time, and who relates that it was broken into by natives and goods removed to the extent of about $800 worth. From all that appears this may have been an ordinary case of burglary which might have happened at any time. It is recommended that no allowance be made on this feature of the claim.

The total allowance recommended on Mr. Blacklock's claim is therefore $800.

CLAIM NO. 9.

JAMES SCHUSTER (ESTATE OF).

This claimant originally asked for damages in the amount of $556.50 for the destruction of a small wooden house, a Samoan house, everything that was contained in those houses, plantation implements, coconut trees, and a number of pigs and fowls. On March 4, 1902, he amplified his claim to the extent of $110 for a horse and cow, making a total of $666.50. Claimant died in the spring of 1911, and for a long time previous thereto and also prior to 1899 was registered at the American consulate in Apia as a native-born American citizen. On this point there was introduced in evidence also what purports to be a certificate made by the collector of the port of New Bedford, Mass., dated December 7, 1852, to the fact of the claimant's birth in New York City and to his American citizenship.

At the time of the war claimant with his family resided on a small plantation at Nalie, about 6 miles from Apia and in the district controlled and held by the Mataafan forces during the war. It is stated by members of claimant's family that they were obliged to flee from their place through the active hostility of the Mataafans, and there is no reason to doubt that such was the case. They state that during their absence from home the Mataafans destroyed practically all of the property on this place, and inquiries made seem generally to confirm this statement.

With regard to this claim, it seems pertinent to add that the witness Allen above referred to testifies that there was bombarding in the vicinity of the Schuster home and that "a cutter from the *Philadelphia* threw several one-pound shots into this house."

It appears that claimant was not in good circumstances at the time of the war, but on the other hand his claim is correspondingly modest. For instance, he asks but $70 for the destruction of his wooden house, which although very small could hardly have been worth less than that amount. It is believed that there should be paid on this claim the sum of $500.

It does not appear that any court proceedings have been had relative to the settlement of the estate of Mr. Schuster.

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CLAIM NO. 10.

CHARLES FRUEAN, SR.

This claimant is asking $1,472.50 for damages to plantation property at Papautu, in the outskirts of Apia, and to his house and furnishings in Apia, very close to the beach. Examination seems to disclose that the damages to his Apia property, or most of them, were suffered during the first, or January, war, when the Mataafans captured Apia, and it appears highly probable that all of this damage was done at that time.

Claimant, who says that he was born in Samoa of an American father and a Samoan mother, was told that he should produce evidence of the alleged American citizenship of his father and of the marriage of his parents, but he failed to do so. He admitted that he had never been registered as an American citizen at the consulate in Apia, nor had any of his family so far as he knew. An examination of the records of the consulate appear to show no entries of registrations, births, marriages, or deaths of any of the Fruean family, and in view of this fact and since claimant failed to prove his American citizenship, it is recommended that the claim be rejected.

CLAIM NO. 11.

WILLIAM WALLWORK.

The original claim submitted by William Wallwork aggregated the amount of $724.25 for horses, pigs, fowls, cocoa trees, loss of time, and a gold headed cane. Upon the recent investigation he claimed for additional articles to the value of about $150.

Mr. Wallwork testified that he was 64 years old; that he was born in England and came to the United States when 2 years of age, remaining there continuously until he had reached the age of 32. He submitted (Exhibit A) a copy, certified to by the officials of the court, of the naturalization, on September 25, 1851, by the "late district court, now court of common pleas, for the county of Philadelphia, Pa.," of his father, William Wallwork. It would appear, therefore, that according to the provisions of section 2172 of the Revised Statutes (U. S. Comp. Stat., 1901, p. 1334) this claimant became a citizen of the United States by virtue of the naturalization of his father, and the records of the American consulate at Apia show that the claimant has long been registered there as such citizen.

When the war broke out, Mr. Wallwork resided at Fasitoo, about 15 miles from Apia, and he testifies that he was forced to leave his home at this time and come to Apia because of the threats of the hostile natives. In this he is corroborated to some extent by the witness Frost and the witness Allen, the latter of whom recalls that Wallwork was brought to Apia at this time on the British man-of-war *Porpoise*, and also testifies that several places in the near vicinity of Mr. Wallwork's residence were bombarded by the man-of-war. It would seem, then, that Mr. Wallwork was justified in considering that safety required that he should leave his home and that the naval operations conducted in that vicinity were such as to render

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the United States and British Governments at least morally responsible for the loss suffered by Mr. Wallwork.

The corroboration of the claimant's testimony as to his loss is that given by the witness Frost, who says that he saw the natives killing Wallwork's pigs, stealing from his house, and cutting down his cocoa trees. Furthermore, it was apparently ascertained that the vicinity of Mr. Wallwork's home was the landing place of hostile natives, who came over to the island of Upolu in large numbers during the war from the neighboring island of Savaii; and it seems highly probable that Mr. Wallwork, as an American citizen, did suffer losses at the hands of those natives, against whom his fellow countrymen were fighting.

Eliminating from this claim those items not included therein at the time when it was "heretofore filed" in the Department of State, and also an item of $300 for loss of time, the claim is brought down to about $425, including about $1.25 each, which is charged for some 200 cocoa trees. Mr. Wallwork testifies that these trees were 3 years old, and impartial testimony secured in Apia seems to indicate that cocoa trees of this age were worth at that time in Samoa about 50 cents each, although it is true that the cultivation of cocoa in Samoa had then but recently begun, and the value of the trees was largely a matter of opinion.

It would appear that $250 would be a fair compensation for the losses of Mr. Wallwork.

Claim No. 12.

HARRY J. MOORS.

Mr. Moors's first claim is for $20,000 damages because of confinement in his home and other alleged indignities during the period of hostilities, or, as he states, from March 17 until May 5, 1899. He seems to have been so confined by order of the British and American authorities, presumably because of his just previous activity in Samoan politics, especially as an admitted friend and adviser of Mataafa.

Before proceeding to a consideration of Mr. Moors's claim it has been thought proper to give some attention to this political activity on his part, and accordingly there are appended to the evidence in his case a number of extracts from the records of the Apia consulate, which appear to show that in the opinion of Consul General Osborn and Chief Justice Chambers, as well as in that of the British consular and naval officials then in Samoa, Mr. Moors's advice was largely responsible for the coup d'état of January 1, 1899, by which the Mataafan forces gained possession of Apia and forced the reorganization of the Government of Samoa. That same opinion also charges Mr. Moors with activity in support of claimed illegal acts of the so-called provisional government then formed, and it appears to be the firm belief of many of the present English-speaking residents of Apia that during the period of the war itself Mr. Moors, although confined to his house, was in more or less constant communication with the Mataafan leaders through messengers arriving and departing from the rear entrance to his home. Indeed, it is said that one such sus-

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pected messenger was captured by the guards while seeking an entrance to the house, although it is not understood that any conclusive evidence was obtained to show that this person was in fact a messenger from Mataafa.

In this connection, it should perhaps be said, in fairness to Mr. Moors, that these activities of his were apparently not inspired by any conscious disloyalty to his county, of which he seems to be a devoted citizen, but that they seem to have been due partly to his constitutional tendency to take much interest in whatever events are happening about him, and partly to his long friendship for Mataafa and his sincere belief that the latter was the real choice of the Samoan people for the kingship, and that no technicalities of law should be permitted to defeat that choice.

The following reference to Mr. Moors is found in the report of Admiral Kautz, dated April 6, 1899, a copy of which was transmitted to this department by the Secretary of the Navy on May 13, 1899:

> Indeed the whole trouble in Samoa is due to the action of German officials and German subjects, assisted by one American citizen, J. L. (sic) Moors by name, who has been a trader and politician in the Samoan Islands for the past 20 years. Mr. Moors claims to be loyal and certainly he is not as prominent as he was. (This would appear to be a facetious but veiled allusion to Mr. Moors's confinement.)

No other reference to Mr. Moors is found in the reports of Admiral Kautz which seem to be on file in this department.

These apparent facts as to Mr. Moors's conduct during the time in question are presented, then, that it may be considered what bearing, if any, they have upon his claim for damages arising out of this war.

There is no doubt that Mr. Moors was confined as he states, and it also appears that during such confinement it was the nightly custom of his guards to place under an outbuilding near his house explosive material connected by wires with the guardhouse, so that this outbuilding could readily be blown up in the event of the appearance of hostile natives in its vicinity. Whether or not such explosion, if it had occurred, would have damaged the residence of Mr. Moors or its occupants does not clearly appear, but he avers that he and his family, then consisting of a wife and five young children, suffered very much mental anguish because of what they considered the likelihood of such damage.

In his Exhibit B, which sets forth the alleged circumstances of his confinement, Mr. Moors states that during this time he was "allowed to communicate with no person or persons whatever save those living with and constituting his own family." This statement, however, is considerably modified by the testimony he gave on the recent investigation, in which he states that two or three times persons were brought to him by the guard, in whose presence he talked with such persons; that he sent several letters to Admiral Kautz and Capt. White of the *Philadelphia*, and that he received and answered the letters coming for him from outside the islands. The witness Hetherington also testified that he communicated with Mr. Moors by letters handed to the officer of the guard, who in turn transmitted the answers to the witness.

It is a further grievance of Mr. Moors in this connection that he and his family were several times taken out of the house while the warships were bombarding and compelled to remain for some time exposed to the "hot sun," the reason for this being that the ammunition

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used was defective and it was feared that fragments of shells might strike the house. He also complains of insults and odium cast upon him by his guards and, in general, of harsh treatment.

In connection with this part of Mr. Moors's claim, it may be said that in another part he has made claim for all property losses alleged to have been suffered by him during the war, and, in any event, had he been at liberty during this time, he could hardly have avoided such losses of property as he suffered.

It is alleged in Mr. Moors's behalf that by reason of this imprisonment he suffered a considerable diminution of popularity among the English-speaking people of Samoa, which resulted in a loss of trade which he had formerly had with American men-of-war calling at Apia and ultimately led to the discontinuance, at different times, of four stores which he had conducted on the American islands of the group. Regarding this claim, it may be said that about the only American man-of-war which has called at Apia since the war is the gunboat stationed at the Pago Pago Naval Station, Island of Tutuila, on which island were located three of these four stores, and it is understood that Mr. Moors became somewhat unpopular in this section because of charges which he filed with the American Government (in 1902?) against Admiral Tilley, commanding at said station. This incident is said to have had more to do with Mr. Moors's loss of trade in American Samoa than his war experiences.

Along these lines, it might also be said that it is understood that by reason of his championship of the Mataafan side of the kingship controversy, which course led to his imprisonment, Mr. Moors became a hero and a martyr in the eyes of the adherents of that chieftain, who, as aforesaid, comprised a large majority of the Samoan people, and that this greatly redounded to Mr. Moors's financial betterment after the war, inasmuch as the admiration and sympathy of the Mataafans took the practical form of trading with their benefactor. This probably compensated him amply for any loss of trade which he may have suffered in American Samoa.

Mr. Moors was undoubtedly confined as aforesaid because the American admiral commanding in those parts deemed that it would be unsafe to permit the former to be at large where he might, through plottings and advice to the enemy, be a menace to his fellow countrymen, then at war with the natives. In other words, his confinement was deemed necessary as a matter of protection to the American forces in Samoa, and it must be said that the apparent previous activities of Mr. Moors lent reasonable support to this position of Admiral Kautz. It would seem that as a war measure, the confinement of Mr. Moors might well be considered justifiable. Under all the circumstances, therefore, it is not recommended that any award in damages be made to Mr. Moors on this feature of his claim. He may be truly said to have brought this confinement upon himself by his previous course in opposition to his fellow Americans in Samoa, including the official representatives of his country.

Moreover, it seems doubtful whether a claim of this character properly comes within the meaning of the word "losses" as used in Article I of the Convention of November 7, 1899, submitting to arbitration the question of responsibility therefor.

Property losses.—Mr. Moors's other claim is made up of a number of losses, aggregating about $10,000, alleged to have been suffered

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on various properties. As to the bearing upon this feature of his claim of the peculiar circumstances in which Mr. Moors was involved or in which he involved himself during the troubles in question, that is a matter which is perhaps worthy of consideration. However this may be, there is presented below a detailed report and recommendation upon the various items making up this claim. Taking these up in the order in which they are presented in his Exhibit A, it is found that he claims $65 for damages to a cottage at Matautu, Apia, and loss of its contents. Among the items specified are $15 for wearing apparel, $9 for three gold rings, which articles Mr. Moors testifies that he bought and presented to a "woman friend." This cottage was situated directly on the beach at Apia, and as it was not occupied during the war, it may have been looted, as Mr. Moors claims, either by the "friendly" natives or by the sailors and marines. Mr. Moors's testimony on this point is uncorroborated, except by Hetherington, who states that he knows that Mr. Moors had this place before the war; that it was then simply furnished, and that it was refurnished after the war. It is recommended that $25 be allowed on this item.

The next item is that of $200 for boats and lighter damaged by the waves and sun. Concerning this item Mr. Moors was only able to recall the case of the lighter, of seven tons capacity, which he states was beaten by the surf during the time of his imprisonment, when he was not allowed to care for his property. He is corroborated as to the damage to the lighter by Mr. Kenison, a carpenter, who endeavored to repair it and found it could not again be made serviceable. This charge does not appear excessive, even assuming that there were no other boats damaged.

Mr. Moors also asks the sum of $93.90 for damages to a fence around his Apia store and for goods spoiled in the store during the time it was closed by order of the authorities. The items of this charge appear somewhat excessive, and it is recommended that the sum of $75 be allowed on this account.

The next item is that of $100 for copra, which Mr. Moors states he was compelled to sell disadvantageously because of his imprisonment. As the element of prospective profits enters into this item, it is recommended that it be disallowed.

For the same reason this recommendation is made as to the next item, for the closing during the war of Mr. Moors's stores at Apia, Aliepata, Leone, Pago Pago, Manua, and Fasitoo. Mr. Moors figures that his store business averaged $10,000 per month and the profits about 20 per cent. Therefore, because of the closing of his stores from March 15 to May 1 he asks $3,000. It appears in this connection, however, that this period is not an "average" one in Samoa, but that from a weather standpoint it is the worst period of the year, known as the hurricane season, during which very little copra is made by the natives. Inasmuch as copra is about the only article which the natives have for sale, and as they do far the greater part of the buying from the stores, the trade of the stores naturally falls off very much during this period, to an extent estimated by impartial witnesses at from 40 per cent to 50 per cent. Moreover, a considerable part of the profits of the storekeepers in Samoa is derived from the resale of this copra purchased from the natives. In connection with this feature of the case it should also be remarked that all of these stores of Mr. Moors, except those at Apia and Fasitoo, were located from 25 to 150 miles from Apia, three of them having been on other

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islands, and that these distant stores were not affected by the war, except in so far as it was impossible to send supplies to them from the main store at Apia.

A large part of Mr. Moors's claim is for losses on his plantation of 60 acres, known as Papalaloa, and as to some or all of those losses his testimony is corroborated to a considerable extent by the witnesses Richardson, Forsell, and Kenison. This plantation is located in the heart of the territory which was occupied by the Mataafan forces, and as it contained at this time a large amount of growing fruit, it appears also to have been the object of frequent forays by the Maliotoans. There seems to be no reason to doubt, then, that considerable damage was done here, and such is the testimony of presumably impartial witnesses. Among this claimed damage is about $1,400 for wire fences, tools, stock, and vegetable garden. The items making up these amounts appear somewhat exaggerated, and an estimate based upon a consideration of each item makes these damages about $1,160.

Another factor in the plantation claim is that of $1,100 for loss of bananas "from 15th March until 15th July." Since the hostilities terminated on April 25, this period appears much too long. Moreover, there is an element of prospective profits in this item, since the bananas are estimated at 37½ cents a bunch, whereas, it appears that the price paid for them in Samoa at this time was 25 cents per bunch. It seems that Mr. Moors was at this time the only exporter of fruit from Samoa, and he admits that the business was a good deal of a gamble. No fruit is now exported because other islands, raising a sufficient quantity to supply the available markets, are much nearer to such markets. It is fair to say, however, that in 1899 there was faster steamer service (by the Spreckles Line, now discontinued) to the principal market. It is believed that $400 would be a fair compensation for the loss in bananas.

Most of what has been said with reference to the claim for bananas applies equally to the claim of $600 for pineapples, and it is recommended that $225 be allowed on this account.

As to the items of $42 for ornamental trees, $50 for a shotgun, and $250 for the cost of putting the place in order after the war, it is believed that these are not much exaggerated, and $275 is recommended for these items.

The other element of plantation damage is that of cocoa trees, of which it appears by the evidence supplied by Mr. Moors, the witness Richardson having been employed to count the trees destroyed, that there were so destroyed 330 one-year old trees, 317 two years old, and 89 three years old. It should be stated respecting this item that presumably impartial persons stated that Mr. Moors did suffer a loss of cocoa trees at the hands of the hostile natives, these trees being situated along a main thoroughfare, the Tivoli Road, and the object of their destruction being to guard against the use of such trees as cover by the sailors and marines. In his original statement of losses, Mr. Moors estimated the value of these trees at $1, $2, and $3 for trees respectively one, two, and three years old. In the recent investigation he changed this estimate to 60 cents, $1.20, and $2, respectively. Impartial evidence, however, fixes such values at 25, 37, and 50 cents, respectively, and on this point it should be stated that it appears that cocoa trees do not come into successful bearing in Apia until they are six years old. It may

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also be pertinent to add that Mr. Moors is now gradually removing his cocoa trees from this plantation and replacing them with cocoanuts, and it is understood that his experience with raising cocoa here has not been a successful one from a financial standpoint. Estimating this claimed loss at the figures last given for individual trees, it is recommended that $249.79 be allowed thereon. This brings the total recommendation for plantation losses to $2,308.79.

Another item, of Mr. Moors's claim is for loss at the Tivoli Hotel, owned by him, the furnishings and supplies in which it appears were jointly owned by Mr. Moors and G. W. Partsch, the latter of whom was managing the hotel. In 1899 this was probably the leading hotel in Apia and is situated in about the center of the beach portion of the village, and it seems well established that the hotel suffered considerable damage during the war, being ostensibly closed at this time, but probably more or less occupied by the sailors and marines at different times. The claim for damages to the building and fixtures, including an item of $200 for the closing of the hotel for repairs after the war, aggregates about $700. It includes also, in the revised claim, an item of $50 for damage to a large mirror "worth $200" (in the original claim this item was $180). This mirror still hangs over the bar, and is apparently not of sufficient size to have ever been worth $200. Moreover, its present condition, with a crack in the middle, the result of contact with a bullet, is such as to make it an interesting advertisement for the hotel. Furthermore, it was ascertained on the evidence of an eyewitness that this bullet found its billet, not in the war in question, but in the January war of the same year. It seems altogether likely, also, that other damage to this building ascribed to bullets was suffered in the January war. After a careful scrutiny of the items comprising this feature of the claim, it is recommended that $390 be allowed thereon.

Another claim affecting this hotel property is that made by the firm of Moors & Partsch for supplies and furnishings, including $450 for the closing of the house for six weeks. This aggregates $1,046.50, and was presented to the German Claims Commission on behalf of Mr. Partsch. This commission found that losses were suffered almost to the amount claimed. Eliminating the said amount of $450 for prospective profits, it is recommended that Mr. Moors be paid $275 for his share of this loss.

The remaining item is that of $228.60 for damages to the store at Fasitoo and goods stolen therefrom. This is the store which the claimant William Wallwork managed, and reference is made to the discussion of his claim, supra, as much of that applies with equal force to this feature of Mr. Moors's claim. Testimony as to this claimed loss was given by Mr. Wallwork and Mr. James Frost. One hundred and seventy-five dollars is recommended for this claimed loss of Mr. Moors.

To recapitulate, the recommendations on Mr. Moors's claims for property losses are:

Matauda cottage	$25.00
Lighter	200.00
Apia store	75.00
Plantation	2,308.79
Tivoli Hotel property	565.00
Fasitoo store	175.00
Total	3,348.79

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CLAIM NO. 13.

MICHAEL J. SCANLON.

On May 13. 1899, Michael J. Scanlon filed with Consul General Osborn a claim in the sum of $3,810, and on June 3, 1899, a further claim for $1,400 for losses after the first-mentioned date, all for damages done by the Mataafan people to his property at Falcula, about 6 miles from Apia. Since there were no military or naval operations during the war in question, after April 25, 1899, the latter claim may be disregarded, as the United States Government could not well be held responsible for damages suffered so long after that date.

This claimant was apparently born in Samoa in 1850, of a Samoan mother and Jeremiah Scanlon, who died many years ago, and who was registered in the American consulate at Apia as a citizen of the United States. This claimant was also so registered, at least as early as July 25, 1889, and the consular records state that his parents were married in Apia in January, 1838, by "Rev. Lucovino, R. C." It would seem, then, that the claimant's American citizenship has been sufficiently made out for the purposes of this claim. This claimant died in 1909, leaving a will in which he appointed his son, Michael, as executor, and the estate is in process of settlement in the German court at Apia, some objections having been filed therein to said will by the children of his first marriage.

The evidence submitted in this case is not very satisfactory, consisting, besides that of the said Michael Scanlon, jr., only of that of two native Samoans. The comparative remoteness from Apia of the claimant's place made it seemingly impossible to secure the testimony of white persons as to his loss. However, Mr. Trood, the acting British consul, who was in Apia at the time of the war, volunteered the information that by reason of the fact that the claimant served as interpreter and spy for Admiral Kautz during the war he incurred the enmity of the Mataafans and suffered much property loss at their hands.

It seems very clear that this claim is grossly exaggerated. For instance, a visit to the property in question and inquiries made of claimant's wife, who was not called as a witness, revealed that her recollection was that her husband lost two or three cows during the war, whereas he is charging for "14 head of cattle, $700." It also appeared, by reason of the presence of a considerable number of large coconut trees on the place, that the claim for such trees cut down was too large.

As bearing out the claim in some respects, there were inspected what appeared to be the foundations whereon had formerly sat two small European houses and one or two Samoan houses, and a well filled up with stones, which it is alleged was done by the Mataafans.

It seems to be fairly well established by the evidence and by inquiry that the claimant possessed a considerable number of pigs at the time of the war, and there is every reason to believe that whatever live stock he may have had at this time was destroyed by the Mataafans as well as what furniture he possessed.

It is believed that the losses suffered by this claimant, notwithstanding the distance of his residence from Apia, were sufficiently the direct result of the American and British naval and military operations to entitle him to some compensation, and it is submitted that $900 would be a fair amount therefor.

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CLAIM NO. 14.

WILLIAM R. PETTIBONE.

This claimant asked for $1,499.76 for damages alleged to have been suffered at the Apia Hotel and at a beer garden about a mile back from the beach, which places he appears to have been managing at the outbreak of the war, and for a number of horses said to have been taken from him by the hostile natives. Loss of prospective profits seems to have made up a large part of the claim, which is supported only by the affidavit of the claimant.

This claimant left Samoa some time ago on a vessel bound for the United States and is reported to have been lost at sea, although no very definite information could be obtained on this point. The records of the consulate at Apia bear this note opposite the claimant's registration: "Returned to the United States March 11, 1905."

At any rate, claimant's wife seems to have been married in 1905 to Thomas Brighouse, of Apia, to have had a child by that marriage, and to have died in 1908.

Mr. Brighouse appeared before me on behalf of said child, Mona, who, he said, was living in England. He stated then and at a later date that he had endeavored to obtain evidence as to the alleged losses of this claimant, but had been unable to do so. Still later Mr. Brighouse advised me that he had discovered two witnesses and would produce them, but he failed to do so.

It was afterwards ascertained from an inspection of the records of the American consulate that William Blacklock apparently had an assignment of this claim made by Pettibone, and accordingly Herbert Brown, heretofore referred to as being Mr. Blacklock's attorney in fact in Apia, was advised of this and invited to produce evidence to support the claim. He said that he had no advices on the subject from Mr. Blacklock and did not know that he would be able to find any evidence regarding the claim, but that he would endeavor to do so. He produced no such evidence, however.

Under the circumstances, it is recommended that no allowance be made on this claim.

CLAIM NO. 15.

WILLIAM HARDER.

Mr. Harder claims $1,453.15, principally for clothing, household furniture, tools, and horses, alleged to have been stolen by natives from a house on the Vaitele plantation, 5 miles from Apia, on which Mr. Harder was then employed as carpenter and overseer, and for tools stolen from the place owned by claimant at Lotopa, Apia, and damage to trees thereon.

The claimant, a native of Germany, introduced in evidence a copy, certified on May 22, 1878, by the court which granted it, of his naturalization as an American citizen in the District Court of the Fourth Judicial District of the State of California, in and for the State and county of San Francisco. It appears from the records of the American consulate at Apia that on June 2, 1892, the claimant was registered as an American citizen in that consulate.

This claim is supported by the evidence of claimant's wife, a half-caste Samoan, and, in a general way, as to the Vaitele losses, by the

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evidence of Constantine Tiedeman, a fellow employee there in 1899, and now employed by the German Government in Apia; and as to the Lotopa losses, by Carl Pullock, who, at the time of the war, lived on Mr. Harder's place at Lotopa, and now resides in Apia, in such ill health that he was unable to come to the consulate to give his testimony, but sent a statement in writing. Mr. Pullock appears to have a good reputation in Apia, and inquiry seems to reveal that he lost about everything he had on this Lotopa place during the war.

Mr. Harder admits that he charged for articles claimed to have been lost what they cost, and it appears somewhat peculiar that since he went back to the Vaitele plantation during the war after he first left it at the beginning of the war, having thus two opportunities of taking away therefrom clothing of his wife and family, that he should have left so much clothing at this place as he claims.

Furthermore, his claim of $150 for the bananas taken from 6 acres of land is believed to be much too large, as is the charge of $160 for 163 coffee trees about 2 years old. Neither bananas nor coffee had in 1899, or since, much value in Samoa.

It is concluded, then, that Mr. Harder's claim is considerably exaggerated, and that $600 would compensate him for the losses suffered. This opinion was confirmed by a inspection of Mr. Harder's said place at Lotopa, which he is now inhabiting.

Claim No. 16.

PETER PAUL.

Peter Paul put in a claim for damages to Consul General Osborn on May 7, 1899, in the sum of about $1,900. On July 13, 1899, through J. H. Mulligan, attorney, he submitted a claim which had increased to $2,434.98, and, as developed in the present investigation, his claim has now grown to $2,773.25. The damages are alleged to have been suffered at his plantation property in the suburbs of Apia and at his residence in that village.

Claimant was born in Germany, and asserts that he was naturalized in the State of Nevada in 1878; that his naturalization certificate was destroyed in a fire, and that the records of the court of naturalization were also destroyed by fire, so that he could get no copy of the certificate. To support this last assertion, Mr. Paul introduced in evidence what purports to be a letter dated July 12, 1888, from the clerk of the White Pine County (Nev.) court, which appears to show that Mr. Paul made an effort to obtain from said clerk a copy of his naturalization record, and also tends to show the destruction of the records of that county as claimed by Mr. Paul. In the records of the American consulate at Apia it appears that the claimant was registered as an American citizen on August 16, 1897, and that he was naturalized on November 20, 1878 in Hamilton, White Pine County, Nev. Said entry in the consulate bears the following note:

> This entry is in correction of an omission made by Consul General Sewell, it being shown to my satisfaction that Mr. Paul has always been regarded as an American citizen.

The consular records also show that Mr. Paul was married on June 11, 1889, by William Blacklock, acting United States consul,

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and in the entry of this marriage Mr. Paul is referred to as a citizen of the United States. The records also show that on September 5, 1888, Mr. Paul was by the same consul divorced from his former wife, and that he was in 1889 appointed by the said consul as American commissioner on the joint commission to lay out the boundary lines of the municipality of Apia. It would seem, then, that Mr. Paul's American citizenship in 1899 is sufficiently proven for the purposes of this claim.

In connection with the previous reference to the growth of Mr. Paul's claim, it may be said that in one item alone, the alleged damage to his plantation fence, the increase in the second over the first claim is from $71 to $375.

Witnesses Rubeck and Docmuller testified to knowledge of some losses suffered by Mr. Paul on his plantation, as did the witness Ripley regarding those on Mr. Paul's Apia residence.

Mr. Paul admitted on the witness stand that he had charged for the articles claimed to have been destroyed or damaged the full amount which it would have cost him to replace these articles, and his manner on the witness stand, the examination of the claims themselves, an investigation of his said premises, and inquiries made seemed to reveal that this claim is grossly exaggerated, even in the first schedule filed, both as to the quantity of the losses and values placed upon the articles claimed for.

At the time of the war Mr. Paul does not seem to have been regarded in Samoa as a planter, but it appears that he had then cleared a few acres of land on his suburban property to raise a food supply for his family, while always residing in Apia and working at his trade as carpenter.

In connection with his claim for plantation damages, it is to be noted that the claimant submitted through Attorney Mulligan an affidavit of the said witness Ripley to the effect that the latter had made a careful count of the number of trees destroyed on Mr. Paul's plantation, which count tallied with the estimate made in Mr. Paul's claim. During the present investigation Mr. Ripley swore that he made no such count and did not know how many trees were so destroyed.

As to the damages claimed to have been done to Mr. Paul's residence in Apia, it may be said that this place is located but a very short distance from the beach, which all through the war was patrolled by British and American guards, and it is understood that in general little damage was done to property in this section. It is believed that $500 would fairly compensate Mr. Paul for the damages he suffered in this war.

CLAIM NO. 17.

ALEXANDER A. WILLIS (ESTATE OF) AND WIFE, LAULII J. WILLIS.

These two claimants are asking damages in the amount of $1,511.83 for losses alleged to have been suffered at their residence property in Motoctua, in the suburbs of Apia, and in the amount of $184.75 for the destruction of two native houses near the beach in Apia. In addition, Mr. Willis has made a claim for damages in the sum of $313 for the destruction of carpenter's and architect's tools said to have been located in a shop at his residence.

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The claimant, Alexander A. Willis, appears to have been born in New Brunswick, Canada, and naturalized in the United States. He died in Samoa on September 16, 1903. His wife, the claimant, Laulii J. Willis, said she thought his naturalization certificate was at her present place of residence in Pago Pago, Island of Tutuila, and said that she would produce it if found. She failed to do so, however, and being a full-blood Samoan woman, it is quite probable that she has no definite idea as to the location of such certificate. In any event, Mr. Willis was registered as an American citizen in the Apia consulate on June 3, 1896, and the record states that he was naturalized on September 14, 1884, in the superior court at San Francisco, Cal., and that he obtained certificate No. 150.

Mrs. Willis referred to two residents of Apia as having knowledge of her losses during the war, but each of these persons disclaimed any such knowledge.

Mrs. Willis testified that the Samoan houses in question were willed to her by her brother, but produced no evidence on this point. Inquiry developed that these houses were located in a Samoan village, and that the legal title to the land in that village, including the houses thereon, was in the chief of the village, according to Samoan custom. It seems also to be Samoan custom and law that a native woman marrying a white man loses her equities in the family or village property. Moreover, it would seem that Mrs. Willis did not acquire American citizenship by her marriage to Mr. Willis. (See the discussion as to citizenship of Mrs. Coe, claim No. 1.) For these reasons it would appear that no payment should be made on this feature of the claim.

Mr. Willis appears to have been at the time of the war the leading carpenter in Apia and to have received large wages in the regular employment of the so-called German firm. His house was a very good one and appears to have been well furnished.

It appears from the testimony of Edward Hall, who lived with the Willises in 1899, that Mrs. Willis had an opportunity to remove some of her furniture by wagon before the first bombardment and did so remove a portion of it, and that the losses in the way of furniture at this place were small and that very little damage, if any, was done to the house itself or to the outbuildings. It seems, however, that the claimants lost a horse, a cow and calf, several pigs of different sizes, and a number of fowls, besides some household effects. It is believed that $250 would be a fair sum to pay for the damages sustained by the claimants at their residence property. Relative to the ownership of this property as between Mr. and Mrs. Willis, it is stated by Mrs. Willis that her husband presented to her these various articles. It seems certain, however, that they were bought and paid for by Mr. Willis, and from the fact that the claim in question is made in the names of both him and his wife, it would appear that they considered themselves joint owners of this property. It is believed, however, that the small amount recommended for payment should not suffer any abatement by reason of the fact that Mrs. Willis was apparently not an American citizen in 1899, but that this amount should be paid to the estate of Mr. Willis.

As to the third feature of the claim, that for the tools of Mr. Willis, it may be said that the evidence shows that he had some of his tools

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at his place of employment and that some which remained at his residence were not taken or destroyed. There seem, however, to have been some losses on this account, and it was learned that generally the natives stole tools when opportunity offered during the war. It is therefore recommended that $100 be paid on this item.

The recommendation in this case, then, is for the payment of $350 to the estate of Alexander J. Willis.

It was stated by Mrs. Willis on her recent examination that Mr. Willis left a will which was probated in the court of Pago Pago, American Samoa, but inquiry of the court officials apparently shows that she was mistaken on this point. It does appear, however, that Mr. Willis's estate was administered in that court and that the administrator, E. J. Mooklar, was discharged as such upon a final settlement of his accounts on September 17, 1904. It was stated by Mr. Mooklar that there were no claims presented against this estate. It is understood that in anticipation of the payment of an award to the estate of Mr. Willis upon this claim, Mrs. Willis has taken steps to have another administrator appointed.

CLAIM NO. 18.

JOHN BRUCE.

John Bruce made a claim for $163 before Consul General Osborn in 1899 for the loss of a wooden house and household effects by native looting.

His recent testimony, supported by that of two full-blood Samoans, is to the effect that the American guard moved half of his wooden house to the beach as a place of shelter and broke down the other half of the house and partially destroyed claimant's Samoan house to use the material for fuel. He also claims to have lost some pigs. The cost to him of the property destroyed claimant puts at from $400 to $500.

The claimant, who was born in Samoa, alleges that his father was a negro, born in America, that his mother was a Samoan, and that his parents were legally married. He was unable, however, to produce any evidence in support of these allegations, nor does it appear that either the claimant or his father was ever registered as an American citizen at the Apia consulate or that the marriage of claimant's parents or the birth of claimant himself was ever so registered, although in cases of American citizens registrations of such events were apparently the usual custom.

It is a tradition about Apia that the father of this claimant was an "American darkey," and the claimant himself has removed to the American island of Tutuila, as be says, because he is an American. To all intents and purposes, however, he is a Samoan, speaking but little English, although he shows some traces in his appearance of negro blood.

Both because of the discrepancies between the claimant's past and present statements regarding his claim and because of the failure of proof as to his American citizenship, it is recommended that this claim be not allowed.

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CLAIM NO. 19.

GEORGE SCANLON.

This claimant is asking $548.50 for the loss of a Samoan house, a quantity of lumber, three horses, a cow, calf, and chickens, and some coconut and other trees, at his place in Lotopa, Apia, and some pigs at his place in Sogi, Apia.

The claimant has long been registered as an American citizen at the consulate in Apia, and is now chief of police at Pago Pago, under the governor of American Samoa. He was born in Samoa and his father, Jeremiah Scanlon, who died 19 years ago, was registered at the consulate as a native-born American. The claimant's mother's name is given in the consular records as Faatei, a Samoan, and it is recorded that his parents were married in January, 1838, by "Rev. Lucovino, R. C.," this claimant being a brother of the above-mentioned claimant, Michael J. Scanlon.

The claimant put in evidence an extract from the records of the Roman Catholic Church at Apia, purporting to show the marriage of his parents. However, the date of this marriage and the name of the bride apparently show that this record refers to a later marriage of claimant's father.

The only witnesses who testified in behalf of the claimant were his brother and sister. He referred to a prominent resident of Apia as having knowledge of his alleged losses, but that person disclaimed any such knowledge.

It appears, however, to be established by information obtained from the British consul and others that the Mataafan people, on account of services rendered by him to the American and British forces during the war, were especially bitter against this claimant and that these natives, therefore, did all possible damage to his property.

Inquiry also seemed to bear out his claim that he had a large Samoan house on his Lotopa property, which was destroyed during the war. The testimony also appears to corroborate his claim of other losses suffered at this place, which is situated in the territory which was in possession of the Mataafan forces.

As to the claimed losses at the Sogi place, the claimant's sister, who says she was living on this place at the time, testifies that she saw "friendly" natives steal some pigs from this place.

It is believed that the claimant is fairly entitled to compensation in the sum of $400.

CLAIM NO. 20.

WILLIAM M'MOORE, SR.

William McMoore, of the island of Tutuila, born in Samoa, who asserts that his father was born in the United States, claims $100, made up of two items, one of $60 for a house alleged to have been burned by the Mataafans and the other of $40 for money stolen from the house by the incendiaries.

This claimant offered no proof of the citizenship of his father or of the marriage of his parents, his mother having been, as he claimed, a British half-caste, which marriage, he says, was recorded in the American consulate at Apia. The records of the consulate do not

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appear to bear him out on this point, nor do they seem to show that either the claimant's father or himself was ever registered there as an American citizen.

Furthermore, the story of the burning and looting, as told by the claimant and his son, the only witnesses, appears highly improbable in the light of history. Claimant says that his house was located but a short distance from the beach at Apia, and it seems to be established that at no time during the war in question did the Mataafan people come in any force so close to the beach, much less burn any house in this section. Inquiry of white persons who in 1899 lived very close to the place where the claimant says his house was located (on land belonging to natives) discloses that they have no recollection of such happenings as he relates, and are positive that no such events took place in this war. Some looting was done in and about the beach in the so-called January war of 1899, and if the claimant suffered any damage of the kind he claims during the year 1899 it was undoubtedly in this first war.

It is therefore recommended that this claim be rejected.

CLAIM NO. 21.

THOMAS B. COFFIN (ESTATE OF).

This claim, conspicuous for its modesty, is for $227 for the destruction, at Solosolo, 5 or 6 miles from Apia, of a house, one room of which was occupied as a store; of all of the contents of the house; and a number of pigs. The records of the Apia consulate show that Thomas B. Coffin was long registered there as an American citizen, born in Nantucket, Mass., and that he died about six years ago.

The only witness who testified as to the loss was Mary Kohlhase, a daughter of the claimant by a Samoan mother, and herself practically a Samoan, speaking little English. She stated that her father's house was destroyed by fire caused by a shell thrown from either a British or American warship while bombarding the village, and that his pigs, to the number of about 50, were killed by natives landed from the ship. The house, she says, was a three-room wooden structure, with a thatched roof, and one room, used as a store, contained a stock of provisions and print cloths, while in the other two rooms was household furniture.

The testimony of Edward F. Allen, before mentioned, would seem to argue strongly for the probable truth of Mrs. Kohlhase's evidence. Mr. Allen stated that he knew the claimant and where the latter had lived, and in answer to an inquiry as to his recollection upon the question of whether or not claimant's house was struck by a shell when the warships were bombarding Solosolo, said:

> I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place; I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.

Mr. Allen was also asked as to his knowledge of the killing of any pigs belonging to Mr. Coffin by natives landed from the warships, and in reply to this question he said:

> I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

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It would seem, therefore, that the inherent probability of the justice of this claim was sufficiently made out to warrant the recommendation of an allowance thereon. Moreover, the modesty of the claim argues in its favor. It is, therefore, recommended for payment in the amount claimed, $227.

It appears that the estate of Mr. Coffin is in the hands of the German court at Apia, which has appointed Frederick Stunsner as guardian for Mr. Coffin's minor son, Mrs. Kohlhase being the other heir. In this as in other cases of the decease of the claimants it would seem that any allowance made should be paid into the court for distribution.

CLAIM NO. 22.

DAVID S. PARKER (ESTATE OF).

This claim is for $1,449, and the damage is alleged to have been suffered at the claimant's residence in the municipality of Apia, a considerable distance in the rear of the beach. The house is said to have been somewhat damaged; much furniture, including a piano, ruined; a quantity of live stock lost, and damage done to coconut and other trees upon the place, which comprised about 15 acres of ground.

Long prior to 1899 Mr. Parker was registered in the Apia consulate as an American citizen, born in the State of New Jersey; and the records also show that he died in Apia two or three years ago.

Although it appears that she had several weeks' notice of the coming to Samoa of an investigator of these claims, the widow of the claimant departed from Apia upon a pleasure trip on the steamer which brought me there, and she did not return during my stay. Her apparent lack of interest in the claim was explained by acquaintances as due partly to the fact that she is in good financial circumstances and partly because, being a Samoan woman, she is not thrifty in business affairs.

However, two witnesses were examined relative to the damages suffered on the Parker premises, and it appears from their testimony that Mr. Parker, who was a man of large means for Samoa, occupied a good house in 1899, which was well furnished; that the veranda of this house was considerably damaged during the war; that much of the furniture in the house was damaged, including a piano and a valuable cook stove, which were ruined; that Mr. Parker also lost three or four horses, about the same number of cows, and some fowls, and that his place generally was somewhat damaged. It appears, however, that prior to the first bombardment, in anticipation of trouble, Mr. Parker removed to the vicinity of the beach at Apia some of the smaller articles of his household effects.

The testimony given as to the good quality of Mr. Parker's household furnishings in 1899 was apparently corroborated as the result of inquiries made of impartial persons with some knowledge of the facts.

The sum of $500 is recommended as an allowance upon this claim.

Mr. Parker's estate is in the hands of the German court at Apia.

CLAIM NO. 23.

BEN PETER (ESTATE OF).

This claimant asks for $115 for the loss of a cow and calf, 18 fowls, and 2 boxes of clothing.

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It seems that claimant was a Hawaiian by birth; that he resided in Samoa in 1899, and has since died; and that his son, Peter Peter, now resides in Honolulu and asserts that the claimed losses were suffered. It does not appear that the claimant or any of his family was ever registered at the Apia consulate as an American citizen, and no information was apparently obtainable in Samoa as to the claimed losses.

In this connection it may be said that it seems that the claimant was on August 12, 1898, a resident of Samoa. It does not appear whether or not he was on that date a citizen of the Republic of Hawaii, so as to entitle him to have claimed American citizenship under the provisions of the act of Congress of April 30, 1900 (31 Stat. L., 141, ch. 339), "Providing a government for the territory of Hawaii," which sets forth (sec. 4) that all persons who were citizens of the Republic of Hawaii on August 12, 1898, are citizens of the United States and citizens of the Territory of Hawaii.

Because of the lack of proof of the claimant's American citizenship in 1899, and also as to the claimed damages, it is recommended that no allowance be made on this claim.

CLAIM NO. 24.

WALTER RAY MARTIN.

Walter Ray Martin, or Mortineau, as his name appears on the records of the Apia consulate, where he was prior to 1899 and in that year registered as a native-born American citizen, is asking for $603.75 as compensation for the loss of household effects.

This claimant appears to have been at the time of the war practicing dentistry in Apia. Some time after the war he left Samoa and is now reported to reside in the Philippine Islands.

It seemed impossible to obtain any definite information in Apia regarding these claimed losses, but it was apparently learned that at the outbreak of the war the claimant was living at the residence of the family of his wife, a part-blood Samoan, in the outskirts of Apia, and that, not maintaining a household of his own, he presumably had few household effects. It is understood that since the claimant left Samoa his wife has married a native Samoan and does not now reside upon the island of Upolu. It is recommended that no allowance be made upon this claim.

CLAIM NO. 25.

ALFRED FRUEAN.

This claimant is a brother of Charles Fruean. (See claim No. 10.) He appeared at the consulate during the early part of the recent investigation, but after the notices of the hearings had been sent out, and announced that he had not received a notice. This was not surprising, inasmuch as his name did not appear upon the list of claimants made up in the department, and thought to be complete.

An inspection of the consular records, however, appeared to show that this claimant had filed a claim for damages not long after the close of the war, and accordingly he was instructed to appear at the

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time which had been appointed for his brother Charles. He did not so appear then nor at any subsequent time.

The defects as to the proof of citizenship which exist in the claim of Charles Fruean are undoubtedly equally present in this case.

Recapitulation of claims and recommendations.

Claim No.	Claimant.	Amount claimed.	Amount recommended.
1	Mrs. Jonas H. Coe and children	$5,242.00	$4,000.00
2	St. Louis Planting Co	(1)	None.
3	Chene P. Harrington	873.75	300.00
4	Harrington & Huch	450.00	265.63
5	Peter C. Ulberg	1,500.00	500.00
6	Church of Jesus Christ of Latter Day Saints	1,280.00	1,100.00
7	Charles L. Netzler	1,403.62	None.
8	William Blacklock	2,476.27	800.00
9	James Schuster	666.50	500.00
10	Charles Fruean, sr	1,472.50	None.
11	William Wallwork	874.25	250.00
12	Harry J. Moors (for confinement)	20,000.00	None.
12	Harry J. Moors (property losses)	[2] 10,000.00	3,348.79
13	Michael J. Scanlon	5,210.00	900.00
14	William R. Pettibone	1,499.76	None.
15	William Harder	1,453.15	600.00
16	Peter Paul	2,773.25	500.00
17	Alexander A. Willis and wife	2,009.58	350.00
18	John Bruce	[2] 450.00	None.
19	George Scanlon	548.50	400.00
20	William McMoore, sr	100.00	None.
21	Thomas B. Coffin	227.00	227.00
22	Davis S. Parker	1,449.00	600.00
23	Ben Peter	115.00	None.
24	Walter Ray Martin	603.75	None.
25	Alfred Fruean	.....	None.
	Total	[2] 64,677.88	14,811.42

[1] £399 10s. 5d. [2] About.

The testimony in duplicate and all documents relating to each individual case are transmitted herewith inclosed in separate jackets, each labeled with the name and number of the case, and there is also transmitted a miscellaneous jacket containing evidence and documents relating to the claims in general.

Appended hereto are copies of your said instruction of April 15, 1911, of the act of Congress approved June 23, 1910, authorizing and directing you to ascertain the amounts due American citizens on these claims and of the diplomatic and consular appropriation act approved March 3, 1911, including an appropriation for carrying into effect the said first-mentioned act of Congress.

I have the honor to be, sir, your obedient servant

JOSEPH R. BAKER.

APRIL 15, 1911.

Mr. JOSEPH R. BAKER,
Department of State, Washingtnon, D. C.

SIR: Referring to the act of Congress approved June 23, 1910, authorizing and directing me to ascertain the amounts due, if any, respectively, on the claims hereinafter mentioned, and to the appropriation made for that purpose at the last session of Congress, and contained in the diplomatic and consular appropriation act, I hereby designate you as agent on behalf of this department and direct you

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to proceed to the Samoan Islands and there investigate the alleged claims of American citizens heretofore filed in this department growing out of the joint naval operations of the United States and Great Britain in and about the town of Apia in those islands in March, April, and May, 1899, and covered by the provisions of the "Convention between the United States, Germany, and Great Britain, relating to the settlement of Samoan claims," concluded November 7, 1899, and the decision thereunder by His Majesty Oscar II, King of Sweden and Norway, given at Stockholm, October 14, 1902.

Having carefully and thoroughly investigated said alleged claims, you will make to this department a full and complete written report of your investigations, including in your report the documentary evidence, properly certified, upon which it is based.

I am, sir, your obedient servant,

P. C. KNOX.

[PUBLIC—No. 244.]

[S. 7158.]

AN ACT Authorizing and directing the Department of State to ascertain and report to Congress damages and losses sustained by certain citizens of the United States on account of the naval operations in and about the town of Apia, in the Samoan Islands, by the United States and Great Britain, in March, April, and May, eighteen hundred and ninety-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he hereby is, authorized and directed to ascertain the amounts due, if any, respectively, to American citizens on claims heretofore filed in the Department of State growing out of the joint naval operations of the United States and Great Britain in and about the town of Apia, in the Samoan Islands, in the months of March, April, and May, eighteen hundred and ninety-nine, and covered by the provisions of the "Convention between the United States, Germany, and Great Britain relating to the settlement of Samoan claims," concluded November seventh, eighteen hundred and ninety-nine, and the decision thereunder by His Majesty, Oscar II, King of Sweden and Norway, given at Stockholm, October fourteenth, nineteen hundred and two, and report the same to Congress.

Approved June 23, 1910.

[PUBLIC—No. 452.]

[H. R. 32866.]

AN ACT Making appropriations for the Diplomatic and Consular Service for the fiscal year ending June thirtieth, nineteen hundred and twelve.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the Diplomatic and Consular Service for the fiscal year ending June thirtieth, nineteen hundred and twelve, out of any money in the

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Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

* * * * * * *

INVESTIGATION OF CLAIMS OF AMERICAN CITIZENS FOR LOSSES IN SAMOA IN EIGHTEEN HUNDRED AND NINETY-NINE.

For carrying into effect the act of Congress approved June twenty-third, nineteen hundred and ten, for the investigation of claims of American citizens for losses growing out of the joint naval operations of the United States and Great Britain in and about the town of Apia, in the Samoan Islands, in the months of March, April, and May, eighteen hundred and ninety-nine, the King of Sweden by an international award having found the United States and Great Britain to be responsible for such losses, seven hundred and fifty dollars.

NO. 1. MRS. JONAS M. COE AND CHILDREN.

LITIA COE:

Caroline Johnston being duly sworn as interpreter.

Q. How many times have you been married?—A. Once.

Q. To whom?—A. Jonas M. Coe.

Q. When?—A. 1881.

Q. By whom were you married?—A. American Consul Dawson.

Q. Had Mr. Coe been married before?—A. Yes.

Q. How many times?—A. Twice. Once by the British consul and once by the American consul.

Q. What were the names of these wives?—A. His first wife was Sa and the other was Lui.

Q. Are either of these still living?—A. No.

Q. Do you know when they died?—A. No.

Q. Were either of them alive when you married Mr. Coe?—A. Both dead.

Q. Do you know what children Mr. Coe had by either of these wives?—A. Five living by the first wife—Emma Kohlbe, in Sydney, New South Wales; Henry, in New Britain, an island near to New Guinea; William, in the Philippines; Phoebe Parkison, in New Britain; one dead, Johnny. He died about 1882. By the second wife he had five children who are living—Carrie, who was married, but is now divorced and insane; Mary Ann, married, in New Britain to a man whose name I don't know; Lizzie; Grace, married in New Britain; don't know her husband's name; and Laura, married in America—California. Don't know in which place Laura lives nor the name of her husband. He had no other children by his second wife living in March, 1899.

Q. How many children had you and Mr. Coe?—A. Four; three living and one dead.

Q. What are the names of the living?—A. Mary Eliza Allen, Nellie Huch, and Robert Coe are living in Apia. Adelia died about 20 years ago.

Q. Did you remarry after the death of Mr. Coe?—A. No.

Q. There is an affidavit on file in Washington purporting to be made by your daughter Nellie, in which it is stated that at the time your

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house was burned, in March, 1899, you were then living with a Samoan to whom you had been married according to the native customs. What do you say as to that?—A. That's wrong. I can swear that I never married after Mr. Coe's death.

Q. Were you living with a Samoan in March, 1899, or at any other time after your husband's death?—A. No; I never lived with a Samoan.

Q. How do you account for the statement I have indicated to you as made by your daughter?—A. I don't know anything about it.

Q. Do you want to say anything further on that point?—A. No.

Q. Where did you live in March, 1899?—A. In my house at Matautu, Apia.

Q. What, if anything, happened to your house during that month—A. It was burned by the white men.

Q. Just describe what occurred.—A. When the bombardment started from the warships, my children and I came to the American consulate, and the American soldiers told us to go home. Then a British officer drove us back again to the American consulate. That night we went back home and slept under the beds because shots were going around the house. The next day a British officer and an American officer drove us out of the house, pushing us with their guns, saying to us if we didn't go out of the house they would shoot us, and that they were going to burn the house so that they could see around, that nobody would hide behind it.

Q. Was that all that was said to you on this occasion?—A. Yes.

Q. Was anything said to you about its being a German house?—A. They said that they were going to burn the house because it was a German house, and we said, "No; it is an American house."

Q. Do you know of any reason for their saying it was a German house?—A. Because I was living with a German—Karrass. He was away in a boat at that time.

Q. Were you married to him?—A. No.

Q. Did you take anything with you when you were driven out?—A. Nothing but house dresses which we wore.

Q. Who were living with you in the house then?—A. I and my two children, Nellie and Robert, three Tongan women, my father, and two boys, Mr. Coe's grandchildren, sons of Lizzie, his daughter.

Q. Anybody else?—A. That's all.

Q. Did any of these people take anything with them out of the house—A. Nothing but what they wore.

Q. What time of day was this?—A. About 10 in the morning.

Q. Where did you go then?—A. We went on the German man-of-war.

Q. Why did you go to the German man-of-war?—A. Because it was nearest to the shore and we were frightened.

Q. How long did you stay on board?—A. About two weeks. About every two days the boat of the war vessel took us ashore for the day because they were afraid of having fever on board, and brought us back at night.

Q. Did you go back to your house at all?—A. No.

Q. Did you see your house burning?—A. Yes; we saw it from the boat.

Q. When was that?—A. About two days after we went on board, about 6 o'clock in the morning.

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Q. Could you see it plainly?—A. Yes; we saw it burn to the ground—looked through glasses.

Q. Do you know, of your own knowledge, how the fire started?—A. I don't know, but supposed the British and American guards.

Q. What furniture was there in the house?—A. A glass case in the parlor filled with books; piano; chiffonier; harmonium; 2 very big mirrors you could see your whole body in; 2 sofas which unfolded for beds; 2 music boxes; 3 sewing machines, 2 hand and 1 treadle; 1 big chest of drawers; 2 rocking chairs; 2 long chairs for lying down; 4 cane chairs, large; 8 small chairs; 4 smaller mirrors; about 10 large pictures and photographs; 4 shaggy mats; the chiffonier was filled with all kinds of plates and glasses, knives and forks and spoons, a little box that we kept our money; 25 sovereigns were in it at this time and Mr. Coe's gold watch, and our jewelry, 2 chains with lockets, about 5 gold brooches, 6 gold rings; big round table; very big chandelier in center of the room; 2 lamps on each side and 1 big one in the middle; a large rug all over the parlor floor; 2 big clocks, gilded; 2 smaller tables in the corners. That's about all in the parlor.

Q. How many bedrooms were there?—A. Four; two big ones and two smaller.

Q. What was in each of these rooms—A. In one bedroom was a big double bed, large mirror, 1 marble-topped table, Mr. Coe's desk, marble-topped washstand and set, two single beds, three boxes for clothes, Chinese boxes of camphor wood, one big and two little ones. On each bed were sheets, pillows, and mattresses. There were two large cane chairs. That's all in the one large bedroom.

In the other big bedroom, one double bedstead, mattress, sheets, and pillows, one marble-topped table, one washstand, marble-topped, set for washing, jug and basin, one mirror about 3 feet long [indicated by her hands], three small chairs, one sword which belonged to Mr. Coe, two long spyglasses. That's about all in that room except mats which were on the floor in every room.

In each of the two small bedrooms there was a double bedstead and washstand and table, both of which latter were marble topped, and two boxes of clothes, the same as in the big rooms, about three small chairs in each bedroom, and one small bed for a child. In these rooms were bundles of fine mats and tapas, one bundle of common mats. There were about 50 fine mats.

In the dining room there were lots of crockery and dishes on shelves, four or five big standing lamps, big lamp for dining table, four bundles of small axes for the black boys to work with, and bundles of working knives, big dining table, meat safe, 1 cask of beef, box of washing soap, two ladies' saddles and one man's saddle, tinned meat and salmon and fruit. That's about all in the dining room.

Q. What other buildings were on the place?—A. Big kitchen of two rooms, bath house, fowl house, three Samoan houses.

Q. Were these Samoan houses old or new?—A. About a year old.

Q. What became of all these buildings?—A. There wasn't a building left when I got back to the place after the war—all burned. Didn't see them burning myself.

Q. What else was there on the place?—A. Ten very big pigs from Tonga, 12 imported fowls, about 50 or 60 Samoan fowls, 5 turkeys,

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about 60 ducks, a big turtle, 2 horses. In the bathhouse were two big tubs, large stove in the kitchen, new, which we had had only a week, and a big table.

Q. What became of this live stock?—A. It was all gone when we got back.

Q. Did you ever recover any of it?—A. Not a thing.

Q. Did you receive any compensation from any person or Government for the loss suffered?—A. No.

Q. To whom did these buildings belong?—A. To me.

Q. How did you acquire it?—A. By Mr. Coe's will.

Q. Have you the will or a copy, duly certified?—A. Yes; Mr. Huch has it. I think there is a copy in the consulate.

The records of the consulate were here inspected, and in the miscellaneous record book, D 8, was found copied the will of Jonas M. Coe dated February 11, 1885, which contains this provision:

Firstly, I give, devise, and bequeath unto my wife, Litia Coe (so long as she remains my widow), and unto my children by her my land at Solapo and the whole of the premises, including the dwelling house and all houses on said land, together with all furniture, goods, and chattels.

Q. Where is Solapo?—A. That is the name of the place where my house is.

Q. That is, is it the name of your property itself?—A. Yes.

Q. Have you ever declared allegiance to any other Government than the United States?—A. No.

Q. Have you ever done anything to cause you to lose your United States citizenship?—A. No.

Q. Did you take any part in the war during which your house was burned, for or against either side?—A. No; I took no part.

Q. Were you strictly neutral?—A. Yes.

Q. Why didn't you take the money you have spoken of when you left your house?—A. Because the guards were pushing and kicking us out.

Q. Do you know anything about the values of the property you claim to have lost?—A. No.

Q. Is there anything further you wish to say about this case?—A. Nothing; only that of the three Samoan houses I have spoken of, one was a big one and the other two smaller.

HUGO GEBAUER:

Q. How long have you lived in Apia?—A. Twenty-seven years.

Q. Where did you reside in Apia in 1899?—A. In Matautu, Apia, in the house just west of Mrs. J. M. Coe's residence—a few rods away. Had lived there about four years.

Q. Did you pass the Coe house daily going to and from your business?—A. I did.

Q. State whether or not you frequently entered the Coe house which was burned?—A. I did.

Q. Have you had experience in building houses in Apia?—A. Yes; I have been a contractor on such work. Was such between 1886 and 1893. Know at that time the value of building materials and labor.

Q. Please briefly describe the Coe house which was burned.—A. This house consisted of 7 rooms besides the hall, with concreted veranda all around the house. The house itself was about 60 by 45 feet outside dimensions, with an 8-foot wide veranda.

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Q. Please describe the outbuildings.—A. There was a bathing house, about 8 by 8 feet, a cook house, 12 by 9, a big Samoan house.

Q. What material was the main house?—A. Of weatherboards and rustic, to hold the boards together, with a lining of pine.

Q. What material was used in building the cook house and bathing house?—A. The same as the main house.

Q. What material was used in building the Samoan house?—A. It was a Samoan reception house, built of bread-fruit wood, and thatched with sugar-cane leaves.

Q. What do you know, if anything, of the age of these buildings?—A. I do not know except that all but the Samoan house were built when I came to Samoa.

Q. What, in your opinion, was the value of the main dwelling house at the time it was burned?—A. $3,000.

Q. What, in your opinion, was the value of the cook and bathing houses at the time they were burned?—A. $175.

Q. What, in your opinion, was the value of the Samoan house at the time it was burned?—A. I could not tell.

Q. Were all these buildings burned at the same time?—A. Yes.

Q. Please describe briefly the furniture in the main dwelling house.—A. I have been in the parlor often, in Mr. Coe's study often, and have looked in the bedrooms. The house was all well furnished, mostly imported furniture. The parlor contained very good sideboards, piano, large library, mostly bound in pigskin, covering all of one side of the parlor, hundreds of volumes of books, classics, etc., chiffonniers, rocking chairs, sofas, pictures, small tables. The whole room was filled with pretty furniture; native mats covered the chairs and tables. In Mr. Coe's study was a good, large, American desk, good office chair, book shelves and books, safe, copying press, chairs, and pictures. The bedrooms appeared to be well furnished with good bedsteads, mosquito services, wardrobes. There was also a sewing machine in the parlor. In the Samoan house were bundles of fine mats and tapas.

Q. State whether or not you have purchased a good deal of furniture in Apia.—A. I have.

Q. Were you familiar with the value of furniture in Apia at the time of the burning of the Coe house?—A. I was.

Q. What, in your opinion, was the value of the furniture in the Coe house when it was burned?—A. $1,400, exclusive of the books, whose value I don't know.

Q. Do you care to say anything further about the case?—A. No.

Q. Was your house next door to Coe's burned at about the same time as the Coe house?—A. Yes; within 24 hours, by the combined British and American forces.

Q. Did you present a claim because of the burning of your house?—A. Yes; to the German Government.

Q. What was the amount of your claim?—A. $4,600 for house, furniture, and outhouses.

Q. What amount was paid upon your claim?—A. $4,600: I would like to add that Mr. Coe's premises were inclosed on the front and sides by a picket fence.

Q. Was this fence destroyed at the same time as the Coe houses?—A. Yes.

Q. What was the frontage and depth of the lot of the Coes?—A. About 300 or 400 by the same depth.

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Q. Were you familiar with the value of such fencing in 1899?—A. Yes.

Q. What, in your opinion, was the value of the Coe fencing which was destroyed?—A. About $100.

HENRY M. E. HUCH.

Q. How long have you lived in Apia?—A. Since 1883. Continuously.

Q. Were you familiar with the premises of Mrs. Jonas M. Coe prior to and during March, 1899?—A. I passed the place often and was inside the house once or twice.

Q. Please describe briefly the main dwelling house?—A. It was about 60 feet long by 40 feet deep, with a veranda about 10 feet wide along the front; don't remember whether it extended along the sides. The house contained seven or eight rooms. There were some outbuildings, but I can't tell what they were. It was one of the largest houses here in Apia.

Q. Can you give any details about the furniture of the main house?—A. I only know that it was well furnished.

Q. Did you present a claim for the loss or destruction of your property in Apia during March, April, or May, 1899.—A. I did, to the German consul, for damage to my house and destruction of furniture. The amount of my claim was a little more than $1,100.

Q. What amount was paid upon your claim?—A. About $950.

Q. Have you any interest, direct or indirect, in the Coe claim?—A. Only that I am married to Nellie, the daughter of Jonas M. Coe and Mrs. Coe, the claimant.

Q. Is there anything further you care to say about this case?—A. No.

KENNISON:

Q. How long have you lived in Apia?—A. All my life.

Q. How long have you been engaged in carpentry work?—A. Ever since I was able to work.

Q. What experience have you had in building and repairing houses?—A. Have been doing this all my active life; am a master carpenter.

Q. Were you familiar with the property of Mrs. Jonas M. Coe, at Matautu, Apia, prior to March, 1899?—A. I was passing by this property three or four times a day for much of my life. Looked over the house once with a view to making some repairs on it.

Q. Please describe the house briefly as it stood just prior to March, 1899.—A. The house was about 40 by 50 feet, with verandas all around it, good-sized cookhouse, bathhouse, and bread-fruit Samoan house.

Q. What, in your opinion, was the value of these properties at the time of their destruction?—A. I can give no estimate upon this, but know that the buildings were all in good condition.

Q. What do you say about the life of houses such as that of Mrs. Coe, in and about Apia?—A. A house protected by verandas will last 100 years, if the verandas are kept in good condition. The verandas protect the house and it is only the outside half of the verandas which will wear away.

Q. Do you care to say anything further about the case?—A. No.

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CHRISTIAN HELLESOE:

Q. How long have you lived in Apia?—A. About 30 years.

Q. Were you living in Apia throughout the month of March, 1899?—A. I was.

Q. Did you see the burning of the Coe house in that month?—A. I did, from a distance of about three-fourths of a mile. Don't remember the day of the month.

Q. Did you shortly after the burning visit the scene thereof?—A. I did.

Q. What was the condition of the place at this time of your visit?—A. All the buildings on the place were burned to the ground and part of the place was destroyed.

Q. State whether or not you often passed the Coe house before it was burned.—A. I did.

Q. Please describe briefly the main dwelling house of the Coes.—A. It was about 40 by 50 feet in size, with a veranda around it.

Q. Do you know anything about the age of the house?—A. I don't know, except that it was built when I came to Apia.

Q. Are you able to give any opinion about the value of the house or its furniture?—A. No; I am not.

Q. Is there anything further you care to say about the case?—A. No.

ROBERT COE:

Q. What is your mother's name?—A. Litia Coe.

Q. What is your father's name?—A. Jonas M. Coe.

Q. Where did you live in March, 1899?—A. With my mother in Matautu.

Q. Do you remember being driven out of your house at that time?—A. No.

Q. Do you remember seeing the house burn?—A. Yes.

Q. Where were you then?—A. On board the man-of-war.

Q. Who were living in your house before it burned?—A. My mother, myself, my sister, Mrs. Huch, and Karrass, but at the time of the burning he was away. That's all.

Q. Do you remember what was in the house?—A. No; I was only a schoolboy then.

Q. Is that all you remember about the case?—A. Yes.

Q. Did your mother, so far as you know, ever marry again after your father's death?—A. No.

Q. Is there anything more you want to say?—A. No.

UPUSE:

Caroline Johnston being sworn as interpreter.

Q. Do you remember the war in March, 1899?—A. Yes; I was then boatman for the British consulate.

Q. Was that next to the house of Mrs. Coe?—A. Yes.

Q. Did you see Mrs. Coe's house burn?—A. Yes.

Q. How did it get on fire?—A. I saw the British and American guards set it on fire. They poured kerosene on it first, I think. I saw them light matches and set fire to it. I was then standing in the yard of the British consulate.

Q. Was the house all burned to the ground?—A. Yes.

Q. And all the other buildings on the place?—A. Yes.

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Q. Were they all burned on the same day?—A. Yes.

Q. Did you see any furniture moved out of the house before the fire?—A. No. Everything in the house was burned.

Q. Is that all you know about it?—A. Yes.

TAGOA:

Caroline Johnston being duly sworn as interpreter.

Q. Do you remember the war which started in March, 1899?—A. Yes. I was the boatman at the American consulate.

Q. How far is that from where Mrs. Jonas M. Coe lived at the time?—A. There is one place in between—Gebauer's.

Q. Did you see Mrs. Coe's house burn?—A. Yes; from the American consulate.

Q. Did you see it set on fire?—A. No; I did not see that.

Q. Who was around Mrs. Coe's house at the time, if anybody?—A. The white men—British and American guards.

Q. Did they appear to be making any effort to put out the fire?—A. No. They just let it burn.

Q. Did you see any furniture moved out of the house before or during the fire?—A. No. I think it was all burned.

Q. Do you know anything more about the case?—A. That's all.

Mrs. HUCH.

Q. Where were you born?—A. In Apia, Samoa.

Q. State whether or not in March, 1899, you were a citizen of the United States?—A. I was, through my father, Jonas M. Coe, who was born in the United States and died as an American citizen.

Q. When and where did your father die?—A. In 1889 or 1890, in Apia.

Q. How long had he lived in Apia?—A. I don't know, but a good many years ago.

Q. Who is your mother?—A. Litia Coe.

Q. When were your father and mother married?—A. In 1880 or 1881.

Q. Do you know by whom they were married?—A. I think by American Consul Dawson in the consulate.

Q. When were you married and to whom?—A. 1905, to E. Huch.

Q. What is his nationality?—A. German.

Q. Are you still living as his wife?—A. Yes.

Q. Were you ever married to anyone else?—A. No.

Q. Were you married in March, 1899?—A. No.

Q. Were you then living at home?—A. Yes.

Q. Where was your home then?—A. In Matautu, Apia.

Q. Who else was living in your family then?—A. My mother Litia Coe, my brother Robert Coe, my half sister, Lizzie Coe, who was a daughter of my father by another wife, some Samoan relations of my mother—her grandfather and some cousins—native girls about 3—and two men.

Q. Was your mother remarried after your father's death?—A. Not legally married but she was living with Capt. Karrass, a German subject, for about two years prior to March, 1899.

Q. Your affidavit on file in Washington shows that you swore that in March, 1899, your mother was living with a Samoan husband to whom she was married according to the native custom. What do you say about that?—A. I don't remember anything about that.

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Q. Do you now swear that she was not then so married and living with a Samoan husband?—A. I do.

Q. Was there anything unusual happened in Samoa in March, 1899?—A. There was a war between Mataafa on one side and the English and Americans on the other side.

Q. Did your family suffer any loss or destruction of property during that time?—A. Yes.

Q. When was that?—A. Some time in March.

Q. What was this loss or destruction?—A. The American and English guards, under command of a British officer, burned our house and all our property.

Q. Please state briefly what occurred at this time.—A. The officer and some of the guards came into our house early in the morning, probably between 7 and 8, and told us to go out of the house, and told us otherwise they would fire and kill us all. We then went on to the American consulate, and later in the day we were sent back to our house. The next day, early in the morning, the same people came into our house and drove us all out, saying they would shoot us if we didn't go, and that they were going to burn the houses down, so that they could see from the British to the American consulates, between which our houses were located. They pushed my mother out with their guns, and we all followed and went on board the German ship, the *Laeke*. Two days later, we saw the houses burning, from the ship. First the outhouses were burned, and the same day the main house was burned. The second day, after we went on board ship, I came ashore and went into the house and saw that all the furniture was broken and smashed to pieces. The clothing was all gone, and I could only secure two pillows. They were the only things not destroyed.

Q. When you were ordered out of the house the second time did you take anything with you?—A. No; we were refused permission to do so. Everything was immediately nailed up.

Q. How soon after you visited the house, as you stated, was it burned?—A. The next day.

Q. You stated in your affidavit, to which I have referred, that the soldiers who ordered you out of your house told you that it was a "German house," which was a reason for burning it. Do you remember their saying that?—A. Yes; they told us that; but we answered that it was an American house.

Q. Do you know of any reason for their saying that?—A. It may have been because Capt. Karrass, a German, made his home there.

Q. Had there been any fighting about your house prior to the burning?—A. No.

Q. Did you see any of the Mataafa warriors about there?—A. No.

Q. Did you or any of the people living in your house, take any part in the war for or against any party or faction, furnish any supplies or information to any contestants?—A. No.

Q. Did you and your family, so far as you know, remain strictly neutral during the war?—A. Yes.

Q. Please describe briefly your main dwelling house, which was burned.—A. It was about the size of the American consulate, but not so high from the ground, with a veranda about 8 feet wide all about the front and sides of the house and most of the back. There were seven rooms—four bedrooms, a parlor, dining room, and hall.

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Q. Please state what furniture was in the house.—A. There was a piano, American make, of large size, in good condition, and in use, a big library which belonged to my father, consisting of several hundred books, big chiffonier of dark wood, a big chest of drawers, a large sideboard with four looking-glasses on it, two sofas, one large and several small tables, several rocking chairs, a hanging lamp, several enlarged photographs and some paintings, and a large mirror hanging upon the wall.

Every bedroom had a bedstead, a chest of drawers with mirrors. In one bedroom was a large writing desk. In each bedroom was also a bureau, all the bedsteads, mattresses, and bedding.

In the dining room was a large square table, cupboard for dishes, a provision safe, about eight dining-room chairs.

All the windows and doors in the house were fitted with curtains.

In the hall were three clocks, standing about 2 feet high, two sewing machines, Domestic make, two large wooden chairs, and a small table.

The parlor contained a large rug, and there were Fiji mats all through the house in each room.

In the chiffonier were complete sets of crockery, knives and forks, about 3 dozen of each and of spoons were put away, besides about 1 dozen for every-day use. There was also a bundle of fine Samoan mats, 40 or 50 in number, known as Ietoga, which are highly valued by the Samoans, which had been presented to my father, and 4 Ie Sina or shaggy mats, made in Samoa, 4 or 5 bundles of common mats, about 10 in a bundle. There was also a large amount of clothing belonging to each one of the family.

Of jewelry we had 3 gold chains with lockets, 5 brooches, and a bracelet, all gold, 4 gold rings, and 3 pairs of earrings.

In the kitchen we had a large cookstove with all cooking utensils and tables.

Q. What other buildings were there on the place?—A. There were three water tanks, one square and two round ones, a cookhouse, and hathhouse. There were two rooms in cookhouse, one large kitchen and a bedroom, probably about 30 feet long by 12 wide. The bathhouse was about 10 feet square, containing 2 tubs of iron enameled. There was also a fowl house and a pigsty. We had about 25 chickens and 10 pigs, all of which were lost at this time, as were 2 horses for riding purposes.

There was also a Samoan house of hardwood, not breadfruit. It was a large, good native house.

Q. Are you able to state what were the values of any of this property at the time of the destruction?—A. No; I am not.

Q. To whom did all this property belong at the time of its destruction?—A. My mother, Mrs. Coe.

Q. How did she acquire the ownership?—A. By the will of my father she was to own the property as long as she remained his widow or until she died. If she married or when she died, it was to go to us three children.

Q. Was this property known by any particular name?—A. Solapo. That was just the name of our own place.

Q. Does your mother continue to live on this place?—A. Yes.

Q. So far as you know, have any court proceedings been had regarding the settlement of your father's estate?—A. No.

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Q. Do you remember about there being a sword in your mother's house before the war?—A. Yes; one belonging to our father.

Q. Do you remember of a necklace being there?—A. Yes; it was my mother's. It was locked up in a box

Q. Did you look for it when you went back to the house the day after you left to go on the man-of-war?—A. Yes; the little box that it and the other jewelry was in was lying there empty. I couldn't find any of the jewelry.

Q. Did you ever locate it afterwards?—A. No; never heard anything about it.

Q. Do you remember making an affidavit regarding this case in 1899?—A. I made one before Mulligan, but at that time I didn't understand or speak English well. I had trouble in understanding him, and I couldn't explain well to him. There was no interpreter present.

Q. You seem to have stated in this affidavit that the house was set fire to as we stood about the house, while you have now stated that you saw it burning from the ship a day or two after you left it. How do you explain the discrepancy?—A. That must have been due to a misunderstanding.

Q. In this affidavit of yours and in a statement and affidavit purporting to have been made by your mother there is no mention of a piano. How do you account for that?—A. I am sure there was a piano in the house. I don't know how to account for not mentioning it, except that we forgot it. There were also two music boxes which played upon winding.

Q. Don't you think that a piano would be one of the first things you would have been likely to mention?—A. It must have slipped out of our minds.

Q. In your mother's statement it is said that the property was "burnt or otherwise" destroyed on the 16th of March and 3d of April, 1899. What do you say about that?—A. I think the kitchen was burned the day we left the house first and the house afterwards.

Q. Was there one or two weeks between the burnings?—A. No. I remember that the kitchen had been burned the day I came ashore to get things from the house, as I have stated, and it was the second day after that when the house was burned.

Q. How do you now account for these discrepancies between your present statement and those contained in your affidavit and your mother's statement?—A. It is because I couldn't understand Mr. Mulligan well and couldn't explain well to him. I had to interpret for my mother also, as there was nobody else around to do so. I didn't know what Mulligan wrote on the paper. I just went and signed.

Q. Is there anything more you want to say about this case?—A. No; I think not.

Q. Did you or any of your family ever recover any of the property that you have mentioned?—A. No. We heard afterwards that some of the guards took some stuff aboard that was in our house.

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MRS. JONAS M. COE ET AL., EXHIBIT A.

J. R. B., vice consul, U. S. A.

POWER OF ATTORNEY.

We, the undersigned, herewith give our power of attorney to the merchant, Emil Huch, of Apia, to act for us in behalf of the war claims of the United States Government of America, to give any legal information and to receive any moneys and to acknowledge the receipt of same on our behalf.

Apia, 12 August, 1911.

(Signed) LITIA COE.
M. E. ALLEN (born Coe).
NELLIE HUCH (born Coe).
ROBERT COE.

I hereby testify that the above signatures were made in my presence.
Apia, 12 August, 1911.

SCHLETTWEIN,
The Imperial District Judge.

NO. 2. ST. LOUIS PLANTING CO.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia or on board the men-of-war.

Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and advisor to the British and American commanding officers.

Q. Was there any bombardment from these vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malie, Falcula, Afega, Salioamoa, Utualia, and Falioasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Saluafata and the near-by place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi, and Faleapuna. In addition to that I went one day on the *Royalist* to Solosolo, and we landed a party of friendly natives and burnt some houses. On March 31 we went west from Apia on the *Porpoise* with the launch of the *Philadelphia* and burnt a boat at Satupuala.

On one occasion after that when I wasn't along the *Royalist* shelled in the vicinity of Fasitooti and Leulomoaga. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii on April 1. I wasn't along then.

Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

A. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo?—A. I think not; but that is very close to Fasitooti and Leulomoaga.

Q. Was there any at Tiavoa or vicinity?—A. None.

Q. Did you know Thomas B. Coffin, of Solosolo?—A. Yes.

Q. And where he lives?—A. Yes.

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Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there; but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place. I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.

Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

Q. Did you know James Schuster, of Malie, and where his house was?—A. Yes.

Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.

Q. Do you know of any damage done by war vessels to William Blacklock's store at Saluafata?—A. None.

Q. Was there any bombarding at Tiavoa?—A. No. We went ashore once at Tiavoa and found that the natives had not damaged the store of the St. Louis Planting Co., as had been reported to us. The man who had been in charge there had left there, but the natives showed us that the store had not been interfered with.

Q. Was there any bombarding at Falefa?—A. No.

Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was and don't think there was.

Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.

Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No; but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves, which we found did not exist.

Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise*?—A. Yes.

HENRY ACHATZ:

Q. Where were you born?—A. Bristol Township, Minn., United States of America.

Q. State whether or not you are a citizen of the United States.—A. I am.

Q. Have you ever declared allegiance to any other government?—A. No.

Q. Have you ever done anything to cause you to lose your American citizenship?—A. No.

Q. When did you leave the United States?—A. In 1895.

Q. When did you first come to Samoa?—A. In 1896.

Q. How long have you lived in Samoa?—A. Since 1896.

Q. State whether or not your residence in Samoa is temporary or permanent.—A. If I could sell out I would leave. Can't tell how long I will stay.

Q. State whether you intend to return to the United States to live.—A. Can't tell. If I leave Samoa, will go to Honolulu to live.

Q. Were you in Apia, Samoa, during March, April, and May, 1899?—A. Yes.

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Q. What was your occupation or business during that time?—A. I was one of four partners engaged in storekeeping. At that particular time I was in charge of a vessel running in connection with the store.

Q. Who were your partners, and what was their nationality?—A, Cyrus Scott, an American, and Messrs. Syddall and Cuthbertson, British subjects.

Q. Of what country were you a citizen in March, April, and May, 1899?—A. An American citizen.

Q. Please state whether anything unusual occurred in Samoa during those months.—A. There was a war between the English and Americans and natives on the other.

Q. Was any of your property injured or destroyed during that action?—A. Yes.

Q. State by whom and how it was destroyed or injured.—A. I don't know.

Q. Can you state the items of the property destroyed?—A. No; not exactly. I was not at the station for some time before the occurrences.

Q. Have you ever received any compensation from any source on account of such losses?—A. I have not.

Q. Where was the property located?—A. At Falefa and Tiavea.

Q. Where is Falefa with reference to Apia?—A. About 14 or 15 miles east.

Q. Where is Tiavea with reference to Apia?—A. About 20 miles east.

Q. State whether or not, during the entire period of the military operations, you took any part whatever, directly or indirectly, with or against either side, element, factor, or person engaged in or having a part in said operations or disorder.—A. I did not, except that I offered my services to the American side, but was told I was not needed.

Q. Did you otherwise maintain a position of strict neutrality?—A. I did.

Q. Can you say what is the total amount of your claim?—A. For the company, I think about $3,000.

Q. Is there anything further you care to say about the case?—A. Nothing.

SYDDALL:

Q. What nationality are you?—A. British.

Q. Where did you reside in March, April, and May, 1899?—A. In Savaii; about eight months previous thereto I was employed in the store of the St. Louis Planting Co. at Tiavea. Left about eight months before the war.

Q. At the time you left Tiavea what stock had the company there?—A. Clothing, prints, provisions, and hardware amounting in value to about $150.

Q. Did you have anything to do with the preparation of the claims of the company for losses in the war of 1899?—A. No.

Q. State whether or not a claim was presented to the British authorities for one-half of the loss suffered.—A. Yes; it was.

Q. Was the claim allowed?—A. No.

Q. What ground was given for refusing to allow it?—A. That the distance of the property lost from Apia was too far and it was not

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seen what the hostilities had to do with the matter, and also because it was not proved that Merrers Scott & Syddall were forced to leave the station.

Q. What is your relationship to the Syddall who was a member of the firm?—A. Brother.

Q. After the refusal of the British authorities to pay the claim did the company have further correspondence with them regarding it?—A. Yes.

Q. What reply was made by such authorities?—A. I submit a copy of the reply from the British consul. Will present an official copy if desired. Copy received and marked "Claimant's Ex. A." (Witness requested to furnish official copy.)

Q. After the conclusion of the war were you employed by the company and familiar with its affairs?—A. Yes; for about 15 months.

Q. Is there anything more you care to say about the case?—A. No.

CYRUS SCOTT:

Q. Where were you born?—A. In Washington County, Ohio.

Q. State whether or not you are a citizen of the United States.—A. I am.

Q. State whether or not you have ever declared allegiance to any other country.—A. I have not.

Q. State whether or not you have ever done anything to cause you to lose your American citizenship.—A. I have not.

Q. When did you leave the United States?—A. In 1886.

Q. When did you first come to Samoa?—A. In 1897.

Q. How long have you lived in Samoa?—A. Since 1897.

Q. State whether or not your residence in Samoa is temporary or permanent.—A. Temporary.

Q. State whether or not you intend to return to the United States to live permanently.—A. I expect to.

Q. Where were you during the months of March, April, and May, 1899?—A. In Falefa, about 15 miles from Apia.

Q. What was your business at that time?—A. I was trading or storekeeping, under the name of St. Louis Planting Co., with Henry Achatz, an American citizen, and Messrs. Syddall and Cuthbertson, British subjects. Each of us had a one-fourth interest in business. We had stores at Falefa, Tiavea, and Savaii.

Q. Of what country were you then a citizen?—A. Of the United States.

Q. State whether or not anything unusual occurred in Samoa during those months.—A. There was a war on between the Mataafa forces and the Americans and British.

Q. Was any of your property destroyed or injured during that time?—A. Yes.

Q. By whom or how was the destruction caused?—A. I was not there at the time but the Mataafa people are supposed to have done it.

Q. State by items such of your property as was destroyed or lost of injured, giving the damages suffered by each item.

Q. In what form was the copra for which you claim?—A. It was dried coconuts thrown loosely into copra house.

Q. What did the stock in store consist of?—A. Tinned meats, clothing, lava-lavas, and general merchandise.

Q. How did you make up your claim of loss?—A. I took my books away with me when I left Falefa, during March, 1899. These books

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showed what I had bought and what I had sold. The balance of the goods remained in the store where I left it. When I returned to the store, as soon as peace was declared, I went right back to Falefa and found all my stock of merchandise had been carried away. As to the copra, I entered upon the books each amount as it was purchased. My books showed the total amount which was in the sheds when I left. My recollection is that all of this copra was gone when I returned to Falefa. About 3 tons of this was afterwards recovered, but I have forgotten how.

Q. About how long a time elapsed between your leaving Falefa until you returned there as you have stated?—A. At least two months.

Q. How far is Falefa from Apia?—A. About 15 miles.

Q. Have you personal knowledge about your claimed loss at Tiavea?—A. No; I have not. Mr. Syddall was in charge there.

Q. Describe the boat for which you make claim.—A. It was 50 feet long and 8-foot beams, capacity about 3 tons, a sailing craft.

Q. When did you buy that boat?—A. In 1897.

Q. How much did you pay for it?—A. $175.

Q. What was the condition of the boat when you returned to Falefa?—A. It was broken, dried up in the sun, and utterly useless for carrying copra. After much repairing, we were able to use it in loading the ships but found it unsafe for that, even.

Q. State whether or not you have ever recovered any of the articles lost or destroyed, except as stated.—A. Nothing whatever.

Q. Have you ever directly or indirectly recovered compensation from any source for the loss or damage suffered, as stated?—A. No.

Q. How did you become the owners of the property in question?—A. Our company leased land at Falefa and erected a building thereon. At Tiavea we rented the building. We were in business in these places nearly three years prior to 1899.

Q. State whether or not you maintained a position of strict neutrality?—A. I did.

Q. Is there anything further that you care to say about the case?—A. No; I think not, except that the war broke our company up in business and we were obliged to dissolve partnership and go to work for others. Our indirect losses were more than our direct ones.

Q. What damage was done to your building at Falefa?—A. The partition lumber was taken out of the house and carried away, so were the doors, windows smashed, veranda—small one taken away.

Q. What was the size of your place at Falefa?—A. Can't say exactly, but it had 3 rooms, store, bed room, and sitting room.

Q. How much did the house cost you, to your last recollection?—A. Probably about $300; can't say exactly.

Q. Did you repair the house after the war, and if so, at what cost?—A. Yes; we repaired it, but as to the cost can't say definitely. Have no remembrance.

Q. What were the circumstances of your leaving your Falefa store in March, 1899, to which you have referred?—A. During the month H. M. S. *Porpoise* arrived at Falefa. I was off to the ship for information. Capt. Sturdie said that Mataafa had practically declared war with the United States and Great Britain, and we are going to give him hell. I said, "For God's sake don't do any shooting around here, as I will have to get out, and my goods and copra would all go."

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Capt. Sturdin said, "This is no time for personal matters. Just stand aside. I am going to fire that gun." I said, "Don't, for heaven's sake, fire in there, as there are only women and children. If you fire, I certainly can't remain in Falefa, and the Samoans will take everything." Capt. Sturdie ordered the bombardment, and about a dozen guns were fired. I again told Capt. Sturdie I could not remain in Falefa. He said, "Well, I will take you to Apia." He sent some one ashore with me to get my things, but I could only get my books and a change of clothes and come to Apia in the warship. I asked Capt. Sturdie if he could give me some assistance to get my goods away. He refused. I asked him if the warship would be going back to Falefa, and if so I would try to get my goods away myself. He would give me no information.

ST. LOUIS PLANTING CO.'S EXHIBIT A.

J. R. B., vice consul U. S. of A.

[Memorandum for Mr. Lyddall from T. Trood.]

APIA, *July 8, 1911.*

In a dispatch to me from the foreign office, London, dated April 5, 1906, the following occurs:

"With regard to the St. Louis Planting Co. (No. 7) it does not appear that there was any necessity for the claimants to have left their stores during the hostilities, and it would seem that if they had not done so no damage would have taken place. As two of the four persons composing this firm are American citizens, inquiries are being made to ascertain whether the United States Government paid any compensation to them, and unless they did the previous decision will be adhered to."

T. TROOD.

ST. LOUIS PLANTING CO.'S EXHIBIT B.

J. R. B., vice consul U. S. A.

BRITISH CONSULATE,
Apia, Samoa, July 18, 1911.

Extract (relating to claim of the St. Louis Planting Co., Samoa, for losses sustained by them during the disturbances there in 1899) copied from the foreign office dispatch No. 3 (11059), dated April 5, 1906:

(Copy.)

"With regard to the St. Louis Planting Co. (No. 7) it does not appear that there was any necessity for the claimants to have left their stores during the hostilities, and it would seem that if they had not done so no damage would have taken place. As two of the four persons composing this firm are American citizens, inquiries are being made to ascertain whether the United States Government paid any compensation to them, and unless they did the previous decision will be adhered to."

I, T. Trood, acting British vice consul at Apia, Samoa, do hereby certify that the preceding is a true and verbatim copy of that portion of the said dispatch which refers to the said St. Louis Planting Co., and, further, that in foreign office dispatch No. 1, dated May 12, 1905, I was directed by the foreign office to furnish to all parties interested information of this nature.

In witness whereof I have hereunto attached my hand and the consular seal the 18th day of July, 1911.

[SEAL.]

THOMAS TROOD,
Acting British Vice Consul for Samoa.

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NOS. 3 AND 4. C. P. HARRINGTON AND HARRINGTON & HUCH.

CH. MUGELE:

Q. How long have you lived in Samoa?—A. 22 years.

Q. Where in Samoa were you living in March, 1899?—A. At the Vailele plantation, about 2 miles outside Apia. I had at that time just bought a place at Lotopa across the road from Mr. Harrington's.

Q. Did you visit Mr. Harrington's place at Lotopa before March, 1899?—A. Yes. I was there every Sunday and sometimes on week days.

Q. Just describe, briefly, what property he had then before the war.—A. There was a house about 24 feet long, one parlor and one bedroom in front and two bedrooms in the rear. There were a lot of chairs, tables, and pictures in it. A sofa and sewing machine. He had some fowls; four or five pigs.

Q. When did you first see the place after March, 1899?—A. We all came into town by orders of the admiral about the middle of March and stayed there about a month and a half. Then I went back to the plantation, and two days afterwards went to look at my place and Mr. Harrington's in Lotopa.

Q. Just describe, briefly, what you saw about Mr. Harrington's place then.—A. There was nothing in the house. Everything was in the yard—chairs broken, boxes and everything else. All the pigs and fowls were gone.

Q. Was all the furniture damaged?—A. Yes; it was no more use.

Q. Can you say anything definite as to the value of the furniture before its destruction?—A. No.

Q. Were the pigs full grown?—A. Yes.

Q. What, in your opinion, were they worth?—A. $20 or $25 each.

Q. What, in your opinion, was the value of Mr. Harrington's fowls?—A. There were about 30 or 40 of them, worth one shilling or sixpence apiece.

Q. Do you know who did this damage at Mr. Harrington's?—A. I did not see it done, but it was probably done by both factions of the natives, as the Mataafa people were encamped in that neighborhood during most of the war, and sometimes the Malietoa people would make expeditions to this section from the town.

Q. Have you any interest, direct or indirect, in this claim?—A. No.

Q. Was there any Samoan house on this place?—A. Yes; one fair sized house and a small house.

Q. Did you see these on the occasion of your visit after the war?—A. No. They were broken down.

Q. Did you ever see a spyglass at Mr. Harrington's?—A. Yes; he had a long glass there.

Q. Did you see that when you visited the place after the war?—A. No; it was not there.

Q. Was there any taro planted on this place before the war?—A. Yes; about half an acre.

Q. What was the condition of this after the war when you first visited the place?—A. It was all gone.

By WITNESS. There were also two boxes of tools on the place before the war, as Mr. Harrington was quite a carpenter, and these were all carried away.

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MOLIGA HARRINGTON:

Caroline Johnston, being duly sworn, acted as interpreter for the witness, Moliga Harrington.

Q. How long have you lived in Samoa?—A. All my life.

Q. Are you the widow of Chene P. Harrington?—A. Yes.

Q. When were you married to him?—A. In 1888.

Q. By whom were you married?—A. By W. Blacklock, American vice consul, in the American consulate.

Q. Were you ever married before that?—A. No.

Q. Is Mr. Harrington dead; and if so, when did he die?—A. About two years ago.

Q. Have you remarried since his death?—A. No.

Q. Have you, since his death, registered as an American?—A. No.

Q. Were you living with Mr. Harrington as his wife in March, April, and May, 1899?—A. Yes.

Q. How many living children have you and Mr. Harrington?—A. Seven.

Q. Give their names and ages.—A. Ada, married to an American at Pago Pago, known as Elie, about 21; Carrie, unmarried, 19; Eli, 17; George, 15; Arthur, 10; Joe and Frank, twins, 2½.

Q. Are all of these children living with you except Ada?—A. Yes.

Q. Was Mr. Harrington married before he married you?—A. I don't know.

Q. Did Mr. Harrington leave any other children except these you have mentioned?—A. Yes; one, Willie.

Q. How old is he?—A. I don't know. He is a grown man.

Q. Where does he live?—A. Somewhere in America; I don't know.

Q. Do you know who Willie's mother is?—A. Yes; Leaia, a Samoan woman.

Q. Is she alive?—A. Yes.

Q. Is Willie older than any of your children?—A. Yes.

Q. Did Mr. Harrington leave a will?—A. No.

Q. Was any action taken in the court regarding the settlement of your husband's estate?—A. Yes; Mr. Huch was appointed guardian.

Q. Do you know anything more about the settlement of the estate except that Mr. Huch was appointed guardian?—A. No.

Q. Are you a full-blood Samoan?—A. Yes.

Q. Where did you live in March, 1899?—A. At Lotopa, on our place.

Q. Did you leave the place when the war broke out?—A. Yes; I came to Mulinuu.

Q. Was the place left without anyone there?—A. Yes.

Q. How long before you went back there?—A. When the war was over; in about two months.

Q. What was there in the house when you left it?—A. Four beds, three or four tables, eight small chairs and two rocking-chairs, one sofa, washstands, basins, one hanging lamp, four small lamps, two chests of drawers with looking-glasses, knives, forks, spoons, crockery; how many, I don't remember.

Q. What buildings were there on the place then?—A. The dwelling house—four rooms, kitchen—and Samoan house.

Q. What live stock were there?—A. About 8 big pigs and some small ones, about 100 fowls, 30 ducks. That's all.

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Q. What did you see on the place when you went back after the war—with reference to the condition of the house and furniture and stock?—A. All the windows and doors were broken, and the locks. All the furniture was broken up—nothing left in the house. Didn't see any furniture left inside or outside. There was no live stock left on the place. All the mats were gone. The Samoan house was all destroyed.

Q. Did you then continue living in the house?—A. Yes.

Q. Where did you get furniture from?—A. We bought them from Mrs. Decker.

Q. Did you or your husband take any part for or against either side or faction in the war?—A. No.

Q. Have you ever done anything by which you may have lost your American citizenship?—A. No; nothing.

Q. Is there anything further you care to say about this case?—A. We lost taro and yam, which was planted on the place before the war, and the clothing of ourselves and our children, just the dresses we went off in were saved, we also lost two sewing machines, one treadle and one hand, and two accordions. One stove was broken and pans and pots carried off. We also lost two fine mats, also a lot of common or Fiji mats—about 40.

Q. Did you go out to your place, after the war, as soon as Mr. Harrington and Mr. Huch did?—A. No; some days afterwards.

Q. Did your husband have a spyglass at the house?—A. Yes, about a foot long—one you pull out.

Q. Is there anything further you remember about your losses?—A. That's about all.

E. HUCH:

Q. How long have you lived in Apia?—A. Since 1883.

Q. Did you live here in March, 1899?—A. Yes.

Q. What was your business at that time?—A. I was a lighterman—loading and unloading merchant ships in the harbor.

Q. Did you have a partner in business?—A. Yes; Chene Packard Harrington.

Q. What boats did your firm own at that time, if any?—A. Four lighters and three cargo boats.

Q. Did anything unusual happen in Apia at that time?—A. About March 18 we got notice from our Governments that the town would be bombarded and that we should leave our homes. We then left our homes and went down town. About 1 o'clock the bombardment started and lasted an hour or so. Occasionally on other days later there were some shots fired from the ships. The bombardment was done by the American boat *Philadelphia* and two British boats—one the *Royalist*.

Q. Did your firm suffer any loss or destruction of property by the bombardment?—A. Yes; a lighter.

Q. When did this happen?—A. Some time in March—a few days after the first bombardment.

Q. Did you see this yourself?—A. Yes; I saw it from the German man-of-war *Laeke*, on which I was aboard, in the harbor, less than a quarter of a mile from the shore, just in front of where my lighter was.

Q. Just describe what you saw.—A. About 8 o'clock in the morning I saw two shots fired from one of the English men-of-war, one of

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which struck the beach within 1 foot of the lighter, and the other right in the center of the boat.

Q. When, after that, did you come ashore to look at the lighter?—A. The next day after it was struck.

Q. What was the condition of the lighter then?—A. It was all broken up—the floor was all busted up and the sides started loose, and the most of the knees which strengthen the sides were broken.

Q. Did you afterwards make an effort to repair this lighter?—A. Yes, we made an effort, but it was no use. We could never use it and we broke it up.

Q. Describe the lighter.—A. It was a 15-ton lighter, about 40 feet long by 12 feet wide.

Q. How old was it?—A. About a year old.

Q. Did you have it built yourselves?—A. Yes; we had a carpenter build it. We bought the lumber and hired the carpenter to construct it.

Q. Do you remember how much the lumber and labor cost you?—A. About $800.

Q. What interest in the lighter had you and Mr. Harrington?—A. We each owned a one-half interest.

Q. Did you put in a claim to any Government for your share of the loss?—A. Yes; to the German Government.

Q. Was any award paid to you on this account?—A. Yes; 850 marks, or $212.50.

Q. Did you or Mr. Harrington, so far as you know, take any part for or against any party or faction which was engaged in the fighting which took place in and about Apia in March, April, or May, 1899?—A. No.

Q. Were you and Mr. Harrington, so far as you know, absolutely neutral in these matters?—A. Yes.

Q. Have you any interest, direct or indirect, in the Harrington estate's claim on account of the loss of this lighter?—A. No.

Q. Did you visit Mr. Harrington's place at Lotopa previous to March, 1899?—A. Yes; very often.

Q. Just describe briefly what property he had out there.—A. He had a 4-roomed main house and a separate kitchen. There was a complete stock of furniture throughout the house. He had other outhouses and a Samoan house. He had some pigs there, how many I don't know, and a number of fowls. His land was planted with bananas, coconuts, and cocoa. There was also a taro patch.

Q. When did you first see this property after the war?—A. As soon as the war was over I went out there.

Q. Just describe what you saw there then.—A. All the furniture was broken—some lying outside—doors and windows smashed in; clothing was all gone. All the chickens and pigs were gone. The Samoan house was entirely destroyed. Everything in the main house was demolished and good only for firewood. All the knives, forks, cooking utensils, and crockery were gone. There wasn't a whole piece of any household goods left on the place.

Q. What, in your opinion, was the value of the said pigs of Mr. Harrington?—A. About $20 to $30 each.

Q. What, in your opinion, was the value of the said fowls of Mr. Harrington?—A. From 1 shilling to 50 cents apiece according to size.

Q. Did you at that time own pigs and fowls of your own in Apia

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and know their values?—A. Yes. There were also some ducks on Mr. Harrington's place, which were carried away. These were worth from $1 to $1.50 each.

Q. Have you any interest, direct or indirect, in any of this Harrington claim?—A. No.

Q. Is there anything further you care to say about this case?—A. No.

G. W. PARTSCH:

Q. How long have you lived in Apia?—A. Continuously since 1889.

Q. What was your occupation in March, 1899?—A. I was running the Tivoli Hotel.

Q. Did anything unusual occur in Apia in that month?—A. Yes; there was a war between the natives led by Malietoa and Mataafa and the British and Americans were fighting on the side of Mataafa.

Q. How long did the war last?—A. About 2 months.

Q. Were you here in Apia during all that time?—A. Yes.

Q. Did you know C. P. Harrington at that time?—A. Yes.

Q. Did he reside in Apia at that time?—A. Yes.

Q. What real property had he here at that time?—A. He had about 9 or 10 acres at Lotopa, with a house on it, in which he resided.

Q. What, if any, other business had he at that time?—A. He was engaged in the lightering business in the harbor—unloading and loading ships which, by reason of the shallow water, could not approach near to the shore.

Q. Do you know anything about the destruction of a lighter belonging to Mr. Harrington during the war?—A. I saw such a lighter lying on the beach at Matautu, Apia, on or about March 18, 1899. One side was smashed out, and the bottom was badly broken. It was no use any more.

Q. Could you tell what caused this damage?—A. I judged it had been done by shell fire.

Q. How large was the lighter?—A. It was a big lighter; must have been about 15 tons. It was strongly built.

Q. Have you ever had any experience in building lighters?—A. Yes. I have been manager of several firms which built lighters while I was employed by them. Have also sold lighters at auction.

Q. Do you know the value of lighters in 1899?—A. Yes.

Q. What, in your opinion, was the value of the lighter of Mr. Harrington when it was destroyed?—A. $700 or $800. This is what it would cost to replace it.

Q. Were you familiar with Mr. Harrington's place at Lotopa prior to March, 1899?—A. Yes; I was out there every Sunday up to the time of the troubles.

Q. When did you first see the place after the war?—A. I went out there immediately, as I had a place near by, and went to see that one; stopped at Mr. Harrington's.

Q. Did you see any evidence of damage done at Mr. Harrington's place; and if so, what?—A. The windows were broken in, the doors torn off and broken up. The cook house was and the native house burned up; everything eatable was removed. There was a general destruction of property.

Q. Do you know what furniture Mr. Harrington had prior to the war?—A. It was not elaborately furnished, but he had fairly good furniture in the five rooms of the house.

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Q. Was this furniture badly damaged when you saw it after the war? Just describe the condition of the furniture when you saw it.—A. The chairs were broken up. The dishes were all gone, as well as the kitchen utensils.

Q. Did Mr. Harrington have any live stock on the place before the war?—A. Yes; he had some few fowls, 50 or 60, of which he was proud; probably 4 or 5 pigs.

Q. Have you any interest, direct or indirect, in this claim?—A. None at all. Not related to any of the Harrington family.

Q. Is there anything further you care to say about the case?—A. No; except that I was a member of the commission which was appointed by the German Government to pass upon the claims of Germans growing out of this war.

Q. Do you know anything as to who did the damage at Mr. Harrington's place?—A. Only that it must have been done by the Mataafa natives, as their headquarters were all about there.

Q. What do you know about the bombardment by war vessels during the war?—A. The *Royalist*, British, and the *Philadelphia*, American, and several other British vessels were bombarding off and on during the troubles, throwing shells over the town into the bush to subdue the Mataafa people.

ESTATE OF C. P. HARRINGTON, CLAIMANT'S EXHIBIT "A."

J. R. Baker, vice consul, U. S. A.

BEGLAUBIGTE ABSCHRIFT.

[Bestallung fuer einen Beistand.]

Der Kaufmann Emil Huch von hier ist der verwitweten Frau Moliga Harrington von hier als Beistand fuer die Ausuebung der elterlichen Gewalt ueber die minderjaehrigen Kinder (1) Carrie, (2) Eli, (3) George, (4) Tuli, (5) Josef, (6) Francis, bestellt. Dem Beistand ist gemaess section 1693 B. G. B. die Vermoegensverwaltung ganz uebertragen worden.

Diese Bestallung ist dazu bestimmt dem Beistand als Ausweis zu dienen. Sie ist deshalb sorgfaeltig aufzubewahren und in allen Faellen, in denen der Beistand eines Ausweises bedarf, namentlich im Verkehre mit Behoerden, mitzubringen und vorzulegen. Nach Beendigung des Amtes des Beistandes ist die Bestallung dem Vormundschaftsgerichte zurueckzugeben.

APIA, *den 18. Juni, 1910.*

Der Kaiserliche Bezirksrichter.

[Stempel.] gez. SCHLETTWEIN.

Vorstehende Abschrift stimmt mit der Urschrift ueberein.

APIA, *den 14. August, 1911.*

[SEAL.]

———— ————.

Gouvernementssekretaer.

NO. 5. PETER C. ULBERG.

HENRY ULBERG:

Q. What was your father's name?—A. Peter Christian Ulberg.

Q. Was he the original claimant in this case?—A. Yes.

Q. Where was he born?—A. In Norway.

Q. Is he living or dead?—A. He died on June 11, 1899.

Q. Of what country was he a citizen then?—A. Of the United States.

Q. How did he become a United States citizen?—A. He lived in the States a while, I think.

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Q. Do you know when he left Norway?—A. I could not tell.

Q. Do you know when he came to the United States?—A. No; he and his brother, Henry Otto Ulberg, came to the States about the same time. This uncle has been living in Oakland, Cal., for a long time. He has a boarding place or a hotel there.

(The witness here submits a paper under the seal of William Churchill, United States consul general at Apia, January 7, 1897.)

Q. I show you this paper and ask you what it is?—A. It is my certificate of registration as an American citizen.

Q. How did your father acquire his United States citizenship?—A. By naturalization.

Q. Do you know in what court he was naturalized?—A. No.

Q. Do you know when he was naturalized?—A. No.

Q. Do you know how long he lived in the United States?—A. I don't know.

Q. Do you know when he came to Samoa?—A. He had been here over 30 years when he died. He was then 69 years old.

Q. Do you know where his naturalization certificate is?—A. He lost it in the war. It was in a little box which he left in his house, and the box was gone when the war stopped.

Q. Do you know whether, after his naturalization, he declared allegiance to any other country?—A. No. He was an American up to the time of his death. All his children are registered in the American consulate at Apia.

Q. Do you know whether your father came directly to Samoa from the United States?—A. Yes; he was sailing on a vessel and he stopped off here and remained.

Q. To whom was your father married in Samoa?—A. Soogafai, a Samoan woman.

Q. Is she still living?—A. Yes.

Q. Did they live together up to the time of your father's death?—A. Yes.

Q. Was that his only marriage, so far as you know?—A. That was his only marriage here in Samoa.

Q. Do you know if he was married before he came here?—A. No, he was not, so far as I know.

Q. How many children had your father and mother?—A. Eight. One, Otto, died two or three years after the war, unmarried. Those living are Catharine, married to Albert Fries, myself, second, Peter C., Maria, married to Fred Betham, Olaf, Caroline, unmarried, and Frederick.

Q. Has your father's estate ever been settled in court or any proceedings taken to that end?—A. I think not.

Q. Did your father leave a will?—A. I don't know.

Q. Who are the present owners of the property left by your father?—A. It has not been divided. Think it is now in the hands of the German court.

Q. Were you in Apia during March, April, and May, 1899?—A. Yes.

Q. What was your occupation at that time?—A. I was salesman for the German firm—in charge of their retail store.

Q. What, if anything, occurred at Apia of an unusual nature, during those months?—A. That was the time that hostilities broke out between the combined forces of England and America, and the Mataafa party.

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Q. About when did the hostilities start?—A. I think on March 15, when the first bombardment started by the English and Americans.

Q. How long did the fighting continue?—A. About four or five weeks.

Q. Did your father have any property injured or destroyed by this fighting?—A. Yes.

Q. State, by items, such of his property as was injured or destroyed, giving the value of each item destroyed and the amount of loss suffered on each article injured.—A. I am unable to do this, as we forwarded our statement of loss to the American consul, Osborn, and we afterwards gave our copy to Mr. Carruthers, a lawyer here whom we employed to prosecute the claim. He is now dead and never gave us back our copy. I don't know where this copy is.

Q. Were you living at your father's home when this war broke out?—A. Yes.

Q. Do you remember what property your father had then?—A. We had a seven-room house, one parlor and five bedrooms and a storeroom, besides a big Samoan house, a kitchen about 12 by 16 feet, partly boarded with a thatched roof, a copra house of wood about 16 by 30.

Q. What was contained in your main house?—A. Seven or eight chairs, I think, three or four bedsteads, all iron but one, which was wooden; two chests of drawers; a fancy chiffonier; lamps; cooking utensils; crockery; boxes; three sewing machines, one hand and two treadle; knives and forks for a big family.

Q. Were all your family then residing at home?—A. All but my two married sisters.

Q. What was there on the place in the way of live stock?—A. Six horses, three head of cattle, a lot of pigs, all sizes; probably about 100 fowls and ducks.

Q. When did you leave your father's house during the war?—A. After the bombardment started; I was down town and was prohibited from going back to the place.

Q. When did you next see the place?—A. When peace was declared, about four or five weeks after.

The WITNESS. The next day after the bombardment I went to see the American officer in charge of the land forces, Lansdale by name, and told him that my parents and brothers and sisters were out at our place, which was in the midst of the bombardment, and he gave me permission to go out and bring them to town. On that morning my mother and youngest sister had come into town, with nothing but the clothes they wore. I then sent brother Olaf out to bring my father and brother Peter into town. The notice or pass from Lansdale said they must come in immediately. My father and brother then came into town, my brother on horseback and my father in a wagon with a Chinaman. They brought nothing with them except what they had on. They had to be in town by 12 o'clock noon and had no time to bring any property in.

Q. When did you next see the place?—A. Four or five weeks afterwards.

Q. What was the condition of the place then?—A. The windows and doors were all gone. The Samoan house was burned down. The kitchen was entirely destroyed, as was the fowl house. All the fur-

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niture was gone; we could find nothing. All our clothing, jewelry, and cooking utensils were gone. They used up all the coconuts. Some breadfruit trees were destroyed. There were also some provisions which were taken away.

Q. Do you know who did this damage?—A. I don't know. I suppose both the Mataafa and Malietoa forces. The Mataafas had a grudge against the Americans and would do any harm they could to their property.

Q. State whether or not your father or his family ever recovered any article lost or damaged.—A. I think two horses were recovered over a year afterwards, but they were almost worn out by the natives. Also a gun, but this was damaged—almost useless.

Q. State whether or not you have ever received any compensation from any person or Government for the damages suffered.—A. No.

Q. State whether or not you or any of your family, during the entire period of these military operations, took any part for or against either side or faction engaged therein.—A. No; we had nothing to do with those affairs.

Q. State whether or not all your family maintained a position of strict neutrality.—A. We did.

Q. How many acres were there in your father's place in question?—A. About 90 acres.

Q. How much under cultivation?—A. I think about one-half of the place was covered with full-bearing coconut trees.

Q. Do you know what was the amount of the loss or damage suffered by your father in this war?—A. I think about $1,500.

Q. Did you assist in making up the claim?—A. Yes.

Q. When was it made up?—A. Right after the war. We took stock of the whole property and put down our losses.

Q. Did you estimate, in making up your list, what it would cost you to replace the articles lost or damaged?—A. We put the articles down at what they cost us.

Q. Were all the articles lost those belonging to your father?—A. No; some were my brother's and my own. The gun was my own, and cost me $30 or $35 about a year before the war. We claimed for six horses, but we got back two. One horse lost was mine; three of these were my father's.

Q. Do you know the value of your father's horses?—A. I think $60 to $80. They were plantation horses.

Q. What other property had you at the place except the horse and the gun?—A. My clothing.

The WITNESS. When I said that we estimated the loss on different articles at what they would cost us, I meant what they were worth then. We allowed for wear and tear in making up our estimates.

Q. Is there anything else you care to say about this case?—A. No.

Q. Whose were the two horses that were recovered?—A. One was mine and one was my brother's.

SOOGAFAI ULBERG:

Caroline Johnston, being duly sworn as interpreter.

Q. How many times have you been married?—A. Once.

Q. What was your husband's name?—A. Peter C. Ulberg.

Q. Is he living or dead?—A. Dead.

Q. When did he die?—A. Just after the War of 1899.

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Q. Did you ever hear your husband speak of living in the United States?—A. Yes.

Q. Did he always claim to be a citizen of the United States?—A. Yes.

Q. Where did you live in March, 1899?—A. On my land at Tulaele.

Q. What buildings were there on the land?—A. A dwelling house of about six rooms (European), a copra house, kitchen, and a Samoan house.

Q. Was this dwelling house new or old?—A. Quite a new house.

Q. Do you know when it was built?—A. We had just finished it before the war broke out.

Q. What was in it at that time?—A. Tables and chairs; don't remember how many. One big mirror, about two big clocks, and a lot of other things; but I have forgotten. Two sewing machines, one hand and one treadle; three bedsteads, boxes with clothes in, chests of drawers, washstands; some fine mats, but only two were taken, and two shaggy mats.

Q. Did you have any live stock on the place?—A. Yes; pigs and fowls—don't remember how many; three or four cows, some horses—I don't remember how many; that's all.

Q. What did you raise on the place at this time?—A. Coconuts, breadfruit, and bananas.

Q. Did you remain on the place during the war?—A. We left as soon as the bombardment started—went to Sogi, Apia, and stayed there until the war was over.

Q. Did you then return to your place?—A. Yes.

Q. What did you see there then?—A. Just the empty house; the copra house was broken—some of the posts were cut off and the floor smashed. The Samoan house was burned.

Q. Was the Samoan house large or small?—A. Large.

Q. What else did you see?—A. All the live stock was gone.

Q. Where was the furniture?—A. It was all lying about broken and destroyed, and so was the crockery.

Q. Did you fix up any of the furniture?—A. No; we couldn't use any of it afterwards.

Q. Do you know who did this damage?—A. No.

Q. Did you ever recover any of the property which was lost?—A. No; not a thing.

Q. Did you know anything about the value of this property?—A. No.

Q. Did your husband or any of your sons take part in the war?—A. No; none of them.

Q. Did you ever receive any compensation from any person or Government on account of this loss?—A. No.

Q. Is there anything more you care to say about the case?—A. No; I don't remember anything more.

CAROLINE ULBERG:

Q. Where did you live in March, 1899?—A. In Tulaele, about a mile from Apia, at the home of my father, Peter C. Ulberg.

Q. Do you remember anything unusual happening at that time?—A. The bombardment from the ships started on March 15.

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Q. Did you remain at your home after that?—A. I left my home the next morning and went to Apia and stayed there until the war was over.

Q. How long did you remain away from home?—A. About two months.

Q. When you went back home what did you see?—A. The doors and windows of the houses were all smashed and there was nothing in the house. The pigs, fowls, and horses were all gone. Some of the furniture was lying around the yard, but all broken. All my clothes were gone. We had three sewing machines and they were gone. We found only broken chairs and boxes.

Q. What furniture did you have in the house when you left?—A. There were seven rooms with large veranda, four bedrooms, dining room, parlor, and kitchen—all furnished with chairs, tables, chests of drawers; there was a sofa and three beds, and clothing for my mother, myself, and three younger children.

Q. What did you take away with you when you left?—A. Only the clothes we wore. We had to swim through the bay to get to Sogi—my mother and the three boys and I. We were afraid to stay home any longer, as the natives were all around us.

Q. Do you remember about how much live stock you had on the place?—A. No; I can't tell the number, except that we had about 3 or 4 cows and about 50 fowls. There was 1 big pig, I know, and about 10 other pigs, I think, of different sizes.

Q. Was there any other damage done to your father's place, so far as you remember?—A. They cut down a few coconut trees.

Q. Anything else?—A. That is all I remember.

Q. Do you know anything about the values of the articles lost?—A. I don't.

Q. Do you know who did this damage?—A. The natives of the Mataafa party, I suppose.

Q. Were any of these articles which were lost ever recovered, so far as you know?—A. No.

Q. Is there anything more that you care to say?—A. No.

Q. Do you remember the first war in January, 1899?—A. No.

CONSTANTIN TIEDEMAN:

Q. How long have you lived in Apia?—A. Twenty-six years.

Q. Did you live here in March, 1899?—A. I was then manager of the Vaitele plantation, about 3 miles from town.

Q. What, if anything, unusual happened in March, 1899?—A. On March 15 the natives, under Mataafa, had orders to leave Mulinuu. On the same day Mataafa and a lot of his people came through my place and told me they had to leave as the Americans would shoot. At 10 o'clock that day the bombardment started and shells were thrown over my place until 4.30; one shell struck my veranda as I sat there. Others struck the kitchen. I had no notice of the bombardment other than what the natives told me.

Q. Did you remain on your plantation after this?—A. The next day we had orders from our manager in Apia to leave the plantation, and I then brought my family to Apia.

Q. How long did you stay away?—A. Three or four weeks, I think.

Q. Did you know Peter C. Ulberg before this time?—A. Yes; I always passed his place when I went to Apia.

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Q. Had he been living there long?—A. Yes, for many years; but his house was new at the time of the war.

Q. Did you ever enter his new house?—A. Several times.

Q. Describe the house as to the size and number of rooms.—A. In the main house I can remember about seven rooms and veranda around.

Q. What was there in the house?—A. I can only remember that it was well furnished—every room, and especially the parlor. Can't tell what the articles of furniture were.

Q. Do you know what live stock he had around the place?—A. I saw there, about two or three months before the war, I think about five horses which I supposed were Mr. Ulberg's, and once I saw there three cows; a couple of pigs were always running around, and some fowls, I don't know how many. That's about all I saw there.

Q. When did you first see this place after the war?—A. About the end of April I called in at this place, I think it was. This was after all the fighting was all over.

Q. What was the condition of the place then?—A. The windows were all broken and not much was left of the furniture. A large Samoan house which had been there was burned down.

Q. Was the Ulberg family living there then?—A. Yes.

Q. Can you give any idea of the value of the property damaged or destroyed at the Ulberg place?—A. No.

Q. Do you know who did the damage?—A. No.

Q. Do you know when it was done?—A. No.

Q. Have you any interest, direct or indirect, in this claim?—A. No. Nothing.

Q. How long was your own plantation idle during the war?—A. I think three or four weeks.

Q. Was Mr. Ulberg's place under cultivation?—A. Yes; all under coconuts.

Q. Is there anything more you care to say about the case?—A. No.

ALBERT FRIES:

Q. How long have you lived in Apia?—A. Twenty-five years.

Q. Did you live here in March, April, and May, 1899?—A. About 2 miles from the town of Apia.

Q. Did you know Peter C. Ulberg at that time?—A. Yes; I was his son-in-law.

Q. Did you live near him at the time in question?—A. Less than half a mile. I had to pass his place several times each day going to and from town.

Q. Where was his place?—A. Tulaele, about 100 yards outside the municipality.

Q. State whether or not anything unusual happened in Apia in the spring of 1899.—A. War between Samoans and English and Americans.

Q. When did this war start?—A. Don't know exactly; it was before Easter.

Q. When it started were you living on your place in the suburbs?—A. Yes.

Q. Did you remain there during the war?—A. I left my place when the war started and came to Apia and stayed until the war was over. I stayed in Apia for nearly a year.

Q. About how long did the war last?—A. About two months.

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Q. Whether or not you often visited Mr. Ulberg's place before the war?—A. Yes.

Q. How long had he been living there then?—A. It was a new house, just finished. He had only been there a short time.

Q. How large was the house?—A. A big house; six or seven ordinary sized rooms.

Q. What was in the house?—A. All the rooms were furnished—partly new and partly old. There was one parlor, with the usual furniture, wardrobes, chairs, and tables.

Q. What else was there on the place?—A. There may have been a copra house; I don't remember. There was a small fowl house. Nothing else.

Q. What live stock was there on the place?—A. There were several milk cows, perhaps 3 or 4 horses, some pigs—I don't know how many—and some fowls, 30 or 40, more or less.

Q. Was the place under cultivation?—A. Yes; all in bearing coconuts.

Q. When did you first see the place after the war?—A. Must have been the end of May.

Q. What was its condition then?—A. All the windows were broken. It was very dirty. It wasn't quite empty. There was a little broken furniture lying around. Most of the furniture was either gone or broken. I don't remember to have seen any good furniture around. Some of the veranda posts were cut by knives. Don't remember anything about the fowl house. Didn't see any stock around. That's all I know.

Q. Do you know of your own knowledge who did this damage?—A. No.

Q. Do you know how many acres there were in Mr. Ulberg's place?—A. Twenty acres.

Q. Is there anything more that you care to say about the case?—A. No; except that after the war the land was in bad shape for want of weeding and care. A lot of copra was lost by reason of the fact that the nuts weren't gathered at the right time, and some, perhaps, were stolen by the Samoans.

PETER ULBERG:

Q. How long have you lived in Samoa?—A. Ever since I was born.

Q. Where did you live in March, 1899?—A. With my father, at Tulaele.

Q. When did you first hear about any disturbances during that period?—A. On March 15, 1899, I heard cannon firing. I was working in the fields, and then came to the house. Toward the next morning my mother, three younger brothers, and sister started through the swamp for Apia, because they were afraid of the bombardment and the natives. About noon of that day my brother Henry sent my father and I out a note, telling us to leave the place at once as the ships were going to bombard our place. When the note came my father and I were hiding under the river bank to keep out of the way of the shells. I had trouble to get my father to go, but finally that same morning we came to town. A Chinese neighbor was going to town with a wagon and I got him to take my father in. I rode on horseback myself.

Q. What did your mother and brothers and sisters take with them to town?—A. Nothing but what they had on.

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Q. Why did they not take anything?—A. Because they were afraid, and didn't know if they could get through.

Q. What did you and your father take?—A. Nothing but what we wore.

Q. Why didn't you take something with you?—A. Because I had the house locked and the natives were all around, and I knew if I unlocked it they would run in and steal. We had notice to leave at once and didn't have time to get our horses, which were out in the fields.

Q. How long did you stay away from the place?—A. About five weeks.

Q. Did you then return to live on the place?—A. Yes.

Q. Just describe the condition of the place when you got back.—A. All the doors and windows were gone. There was nothing we could use. All the green and ripe coconuts were taken away, 6 horses and 3 head of cattle were gone, also about 100 fowls, a lot of pigs, about 10 or 12 big ones and some little ones; also 2 breech-loading guns, 1 my brother's and 1 mine. All our furniture was destroyed; I had to go to work to make some new furniture. All the cooking utensils were smashed up or taken away. It's a long time ago, and I don't remember.

Q. Do you know who did this damage?—A. No.

Q. Did you ever recover any of the property lost?—A. Two horses, but they were almost useless. That's all I remember.

Q. What part of this property was your own?—A. Two horses and my clothing.

Q. Do you know what were the values of the property so lost or destroyed?—A. At the time we made out our claim just after the war we put down what the property was worth, then some of it was old and some new.

Q. Are you able to state now what these values were?—A. No.

Q. What was the age of your house in March, 1899?—A. Part of it had been built within six months and the balance was a little over a year. We had fixed over our old house at this time, just using what of the old lumber was good.

Q. State whether or not any of your family have ever received any compensation for this loss or damage from any person or Government.—A. No.

Q. State whether or not you or your father took any part in this war, for or against either side.—A. None.

Q. What was the value of your father's horses?—A. $50 or $60 each, or perhaps more. They were work horses.

Q. What was the size of your house?—A. 36 by 16 by 10, with veranda all around. Three rooms in main house with balance on the veranda.

The WITNESS. When we stayed in Apia during the war we all stayed in one room, and it was very uncomfortable for my father, who was old; some nights when they were going to shell the town we had to go on board the man-of-war and sit on canvas chairs all the night. When we got back home my father was so worn out by what he had suffered and so broken-hearted by what he saw of the wreck of his home, that he immediately got sick and died in about a month and a half.

Q. Is there anything further you care to say about the case?—A. No.

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NO. 6. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS.

A. KENISON:

Q. How long have you lived in Samoa?—A. All my life.

Q. Where did you live in March, 1899?—A. In Apia.

Q. What was your business at that time?—A. Carpenter.

Q. What, if anything, unusual took place in Apia at that time?—A. There was a war between Mataafa and Malietoa, the latter assisted by the British and Americans.

Q. How long did this war last?—A. Two or three months.

Q. Were you familiar with the properties of the Church of Jesus Christ of Latter Day Saints in and about Apia in March, 1899?—A. I visited their properties at Fagalii, Matautu, and Pesega every Sunday up to the outbreak of the war.

Q. Where was their Fagalii mission with reference to Apia?—A. About one-half mile from Apia.

Q. Are Matautu and Pesega within the municipality of Apia?—A. Yes.

Q. Please describe the houses of the church at Fagalii.—A. The dwelling house was about 40 by 20 feet, containing about 5 rooms, besides attached kitchen about 16 by 20, all built of lumber, with iron roofing. Then there was a church about 40 by 16 feet, with European posts and bamboo about the outside—partly native construction.

Q. What, in your opinion, was the value of the dwelling house in March, 1899, prior to the war?—A. $1,200 to $1,500.

Q. How old was it?—A. About 5 years old.

Q. What, in your opinion, was the value of the church building at the same time?—A. $600 or $700.

Q. About how old was the church building?—A. About 2 years.

Q. When did you see this property after March, 1899?—A. As soon as the guards permitted people to go about, after the war, I visited this property.

Q. What condition was the property in when you visited it?—A. The doorposts, corners of the house, and veranda posts were hacked with axes, the back part of the veranda partly torn away, floor of the veranda torn up and partly carried away, three or four water tanks so hacked as to be useless, the doors and windows broken to pieces with axes, the lean-to destroyed. The church was damaged in that all the bamboo was cut down so that the entire building was open to the elements. The cookhouse was broken to pieces and all the doors and windows carried away. The fences were knocked flat to the ground. All the church books were carried away or destroyed. Everything which the missionaries had there was carried away.

Q. When, after the war, did you first visit the Matautu property of the church?—A. At about the same time.

Q. What property had the church at Matautu prior to the war?—A. A house, partly of European and partly of native lumber about 30 by 18 feet, one end used for dwelling of missionary and the other for church purposes.

Q. What was the condition of this property when you first visited it after the war?—A. The house was gone. Could see nothing of it.

Q. What, in your opinion, was the value of that house?—A. About $150.

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Q. Do you know anything about the furnishings of the house?—A. I do not.

Q. When did you first visit the church property at Pesega, after the war?—A. About two days after I visited the other properties.

Q. What was the condition of that property at that time? A. I could not tell much about this, as some of the damage had been repaired when I visited it.

Q. Do you know by whom this damage was done?—A. I do not, as at that time I was aboard ship in the harbor.

Q. Have you any interest, direct or indirect, in this claim?—A. None, except that I am a member of the church in question.

Q. What experience have you had in building and repairing houses in Apia?—A. I have been all my life in that business in this section.

Q. What, in your opinion, was the amount of damage done at the church property at Fagalii?—A. I made no careful examination of place as, because of the war, which I was afraid might break out again, I made but a short stay there on the occasion of my visit. Can give no opinion on this point.

Q. Is there anything further that you care to say about this case?—A. Nothing.

Q. What as you say about the life of houses in and about Apia?—A. A house protected by verandas will last 100 years if the verandas are kept in good condition. The verandas protect the houses and it is only the outer half of the verandas which wears away.

CHARLES THOMAS TAYLOR:

Q. How long had you lived in Apia?—A. Almost all my life.

Q. Where did you live in March, 1899, previous to the war?—A. In Apia.

Q. What was your business at that time?—A. Trading.

Q. Were you familiar with the properties of the Church of Jesus Christ of Latter-day Saints in and about Apia prior to the war in March, 1899?—A. I was familiar with their properties in Fagalii and Pesega but didn't know much of their Matautu property.

Q. Please describe briefly the mission building in Fagalii.—A. It was about 50 by 35 feet. Then there was a church building about 40 by 30 feet. The house was of European construction and the church partly European and partly native.

Q. When did you first visit the church property at Fagalii after the war?—A. I think about June 30.

Q. What was the condition of the house at that time?—A. Both the buildings, and especially the mission house, were badly hacked with axes or knives, a large and small tank were rendered useless—pierced through with holes; the fences were all pulled down as was the wharfing; the lean-tos were pulled down. All the doors of the church were carried away, and all the sides and framework was pulled to pieces. A lot of books were lying outside the building torn to pieces.

Q. What do you say about the damages to the Pesega property?—A. I saw this property just before I visited Fagalii, and saw there was a small amount of damage there; mud and refuse was strewn about the place, and veranda posts were hacked; some windows were smashed in. One of the elders of the church visited this place with me, and we tried to make an estimate of the damage done. We figured it at either $15 or $25.

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Q. What experience have you had to qualify you to estimate the damage done to the church property at Fagalii?—A. Have had about four years' experience as a salesman for Mr. Moors, during which time I sold considerable lumber. Never had much experience in building operations.

Q. What, in your opinion, was the amount of damages done to the mission house at Fagalii?—A. About $700 or $800.

Q. What, in your opinion, was the amount of damages done to the church building at Fagalii?—A. About $100 or $120.

Q. What, if anything, do you know about the furnishings in the Fagalii property of the church?—A. I went twice a week to this property just prior to the war as I was engaged in translating the church bible into Samoan.

Q. What property was there in the house at this time?—A. There was quite a fine library there—about 500 books. There was also a lot of boxes containing clothing.

Q. Do you care to say anything further about this case?—A. No.

[Filed by Penfield & Penfield, Mar. 16, 1910.]

PESEGA, APIA, SAMOA, *April 20, 1908.*

War indemnity claim of the Samoan mission of the Church of Jesus Christ of Latter Day Saints, for damages to property during the Samoan War of 1899.

Losses sustained at Fagalii, between the dates of Mar. 15 and Mar. 27, 1899:		
Damages to mission house (house partly destroyed)	$630	
Damages to church building	135	
12 trunks with their contents carried away	120	
Books from mission library destroyed or missing	90	
Records and valuable papers destroyed or taken	125	
Total losses at Fagalii		$1,100
Losses sustained at Matautu, Apia:		
Branch meetinghouse burned	100	
Bed and furnishings at same place	15	
Household furnishings	20	
Books and school supplies	25	
Damages to house at Pesega, Apia	20	
		180
Total losses at Fagalii, Matautu, and Pesega		1,280

Thos. S. Court, power of attorney for Joseph F. Smith as trustee in trust for the Church of Jesus Christ of Latter Day Saints.

[Filed by Penfield & Penfield, Oct. 29, 1910.]

United States of America,
State of Utah, County of Salt Lake, ss:

Ernest Wright and F. Eugene Morris, being severally duly sworn, each for himself deposes and says: That he is a citizen of the United States of America, over 21 years of age; that on and prior to the 15th day of March, A. D. 1899, he was a missionary for the Church of Jesus Christ of Latter Day Saints, with headquarters at Fagalii, Upolu, Samoa. That on or about the said 15th day of March, A. D. 1899, by order of the commander of the military and naval forces of the United States at Apia, affiant left the headquarters of said mission and went to Apia, where he was detained by the military authorities for several weeks. That as soon as he was permitted to do so he visited the headquarters of said mission and found that the mission building and church had been wrecked and partially destroyed; that all the doors, windows, sashes, and frames had been torn out; the floors had been torn up and the fixtures in the house

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and church destroyed, so that nothing but the shell of the house and church remained; the walls being marked up and disfigured; and all the trunks, library, books, papers, and personal property on the premises had been removed or destroyed and was never afterwards recovered.

Affiants further say that they are familiar with the items of the war indemnity claim presented by the Church of Jesus Christ of Latter Day Saints, for damages done to the property at the Samoa mission during the war of 1899, as follows:

Losses sustained at Fagalii between the dates of Mar. 15 and Mar. 27, 1899:		
Damages to mission house (house partly destroyed)	$630	
Damages to church building	135	
12 trunks with their contents carried away	120	
Books from mission library destroyed or missing	90	
Records and valuable papers destroyed or taken	125	
Total losses at Fagalii		$1,100
Losses sustained at Matautu, Apia:		
Branch meetinghouse burned	100	
Bed and furnishings at same place	15	
Household furnishings	20	
Books and school supplies	25	
Damages to house at Pesega, Apia	20	
		180
Total losses at Fagalii, Matautu, and Pesega		1,280

That the damages mentioned in said claim were actually sustained, and that every item thereof is true and correct. That in no instance is any charge made greater than the damage actually sustained, and in most instances the damage was greater than the amount stated in the claim.

Affiants further say that they had personal knowledge of the character and value of all the property mentioned in the claim, and that in every instance the same was damaged to the amount stated therein.

Affiants further say that they were acquainted with the branch meetinghouses at Matautu and Pesega, which were burned at or about the time aforesaid, and that the damage to said buildings and the property destroyed in connection therewith amount to the sums stated in said claim and more.

ERNEST WRIGHT.
F. EUGENE MORRIS.

Subscribed and sworn to before me, this 28th day of September, A. D. 1910.

HARVEY J. JONES,
Notary Public.

My commission expires March 8, 1912.

[Filed by Penfield & Penfield, Nov. 17, 1910.]

UNITED STATES OF AMERICA,
State of Utah, County of Utah, ss:

William L. Worsencroft, being first duly sworn, deposes and says, that he is a citizen of the United States of America, over 21 years of age and resides at Payson, Utah County, State of Utah; that on and prior to the 15th day of March, A. D. 1899, he was president of the mission of the Church of Jesus Christ of Latter Day Saints, with headquarters at Fagalii, Upolu, Samoa, and Ernest Wright, F. Eugene Morris, Alfred D. Hendricks, and Clare W. Reid were also missionaries for the said church at said place. That on or about the said 15th day of March, A. D. 1899, by order of the commander of the military and naval forces of the United States at Apia, affiant left the headquarters of said mission with the said Ernest Wright, F. Eugene Morris, and others, and went to Apia, where they were detained by the military authorities for several weeks. That as soon as he was permitted to so do, affiant visited the headquarters of said mission and found that the mission building and church had been wrecked and partially destroyed. That all of the doors and windows had been torn out and the floors and fixtures destroyed; the inside and outside walls of the building had been marked, hacked, and disfigured, and all the trunks, books, library, papers, and personal property on the premises had been removed or destroyed and were never afterwards recovered.

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Affiant further says that he prepared the war indemnity claim for the Church of Jesus Christ of Latter Day Saints, which was presented for damages done to property at the Samoan mission during the war of 1899, the items of said claim being as follows, to wit:

Losses sustained at Fagalii, during the months of March, April, and May, 1899:		
Damages to mission house (house partly destroyed)	$630	
Damages to church building	135	
12 trunks and their contents carried away	120	
Books from mission library destroyed or missing	90	
Records and valuable papers destroyed or taken	125	
		$1,100
Losses sustained at Matautu, Apia:		
Branch meeting house burned	100	
Bed and furnishings at same place	15	
Household furnishings	20	
Books and school supplies	25	
Damages to house at Pesega, Apia	20	
		180
Total losses at Fagalii, Matautu, and Pesega		1,280

That the damages mentioned in said claim were actually sustained; that every item thereof is true and correct, and that the said damages were caused by the unlawful naval operations of Great Britain and the United States in Samoa in March, April, and May, 1899; that in no instance is any charge made greater than the damage actually sustained, and in most instances the damage was greater than the amount stated in the claim. That affiant had personal knowledge of the character and value of all the property mentioned in the claim, including the contents of all the trunks, and that in every instance the property was damaged to the amount stated in the claim.

Affiant further says that he was well acquainted with the branch meeting houses at Matautu and Pesega, which were burned during the period aforesaid, and that the damage to said buildings and the property destroyed in connection therewith amounts to the sum stated in said claim.

WILLIAM L. WORSENCROFT.

Subscribed and sworn to before me, this 19th day of October, A. D. 1910.

JUSTIN A. LOVELESS,
Notary Public.

My commission expires March 5, 1912.

Identical affidavits made by:

Ernest Wright and F. Eugene Morris, residing at Salt Lake City, Salt Lake County, State of Utah. Subscribed and sworn to before Harvey J. Jones, notary public, October 19, 1910.

Alfred D. Hendricks, residing at Richmond, Cache County, Utah. Subscribed and sworn to before George G. Hendricks, notary public, October 19, 1910.

Clare W. Reid, residing at Provo, Utah County, Utah. Subscribed and sworn to before Joseph F. Farrar, notary public, October 24, 1910.

Nathaniel G. Stringham, residing at Salt Lake City, Salt Lake County, Utah. Subscribed and sworn to before Leo E. Penrose, notary public, October 19, 1910.

CLAIM OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS.

Burton Kent Farnsworth appeared as representing the Church of Jesus Christ of Latter Day Saints, at the American consulate, on June 8, 1911, upon the occasion of the hearing of the claim of the church against the United States, and explained that he was not in Samoa at the time of the losses in question and therefore could not testify in the matter, but desired his appearance to be noted.

He further stated that none of the missionaries of the church who were in Samoa in 1899 was now in these islands.

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NO. 7. JAMES SCHUSTER.

JAMES SCHUSTER:

Q. Where were you born?—A. In Samoa, island of Upolu.

Q. What relation, if any, are you to James Schuster, the claimant in this case?—A. He was my father.

Q. Is your father living or dead?—A. Dead.

Q. When and where did he die?—A. Four weeks ago at Apia.

Q. What was his age when he died?—A. About 82 years old.

Q. Of what country was your father a citizen?—A. Of the United States.

Q. Where was he born?—A. I don't know.

(At this point the records of the United States consulate were consulted, and in the book entitled "Register of American Citizens, Deaths, Births, and Marriages" was found this entry. "No. 35. Date of registration, March 5, 1890. James Schuster, New York City, place of birth. June 12, 1827, date of birth. New York City, last place of residence in United States; 1851, date of last leaving United States."

Witness then produces a paper and submits it for inspection and asks that it be received in evidence.)

Q. I show this paper and ask you what it is and where you got it.—A. In a box that my father gave to me.

Q. I shall mark this as "Exhibit A" and attach it to your deposition, if you have no objection to my taking it to Washington.—A. You may keep it.

Q. So far as you know, did your father ever declare allegiance to any other country or in any way lose his American citizenship?—A. No.

Q. Do you know when your father came to Samoa?—A. No.

Q. Do you know how long he lived here?—A. No.

Q. Where did you live in March, April, and May, 1899?—A. At Malie, on my father's place.

Q. Who else lived there then?—A. My mother and my brothers, Alfred, George, and Thomas, and two sisters; Emma married to a half-caste Fiji, Eta; and Anna married to a white man, I forget his name. At the time when the war started my brother Alfred and I came to Apia. The others stayed on the place at Malie.

Q. When did you go back to the place at Malie?—A. When the war was finished, we went back to Malie.

Q. What did you see when you got back to your father's place?—A. I see nothing—all gone, kill everything—cut all the coconut and breadfruit, house burned down, furniture all gone.

Q. How far is the place from Apia?—A. About 6 miles west.

Q. What was there on the place when you left it at the beginning of the war?—A. A lumber house of two big rooms, with chairs, boxes, beds, some Samoan things—mats, etc.—many pigs, about 150 pigs, large and small.

Q. How much land was there on this place?—A. About 9 acres.

Q. Do you know anything else that you had out there at your father's place before the war?—A. That's all I know.

Q. Do you know what the house was worth?—A. $100.

Q. Do you know what the pigs were worth?—A. Some of the sows were worth about $20 each.

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Q. How many sows there?—A. About 100.

NOTE.—The witness appeared to be unintelligent and not to be possessed of a good memory. J. R. B.

Q. Is there anything more you care to say about this case?—A. No.

VAI SCHUSTER:

Q. Where did you live in March, 1899?—A. In Malie, on my father-in-law's place.

Q. To whom were you married then?—A. James Schuster, jr.

Q. Did you stay on this place all through the war?—A. We went off to Malua.

Q. Why did you leave?—A. Because the Mataafa people started to take our things and chased us off. They said they would kill us.

Q. By what means did you travel when you left the place?—A. Some by boat and some by land.

Q. Did you take anything with you?—A. Nothing but the clothes we wore.

Q. Why did you not take away other property?—A. Because we were frightened; the Mataafa people were all around.

Q. What buildings were there on the place when you left it?—A. A wooden house with two rooms, covered with thatch, and two Samoan houses—large. That's about all.

Q. What was in these houses?—A. One or two beds, one sofa, two or three chests of drawers, about two tables, chairs, I have forgotten how many; boxes of clothes, don't remember how many. A lot of other things, but I have forgotten what; a lot of mats, one sewing machine, and one music box.

Q. Who owned all these things?—A. My husband's father.

Q. Was there any live stock on the place, and if so, what?—A. Pigs and fowls, I don't know how many. That's all I remember.

Q. How long did you stay away from the place?—A. About three months.

Q. What did you see when you went back to the place?—A. Just the bare ground; all the houses were burned. Nothing was left of what had been in the houses. The pigs and fowls were all gone.

Q. Do you remember whether there were any horses or cows on the place when you left it?—A. Yes; there were three cows and about three or four horses.

Q. To whom did they belong?—A. All to the old man, Mr. Schuster, my husband's father. When we got back to the place they were all gone.

Q. Was any of this property recovered so far as you know?—A. I think he got one horse back; none of the cows.

Q. Is there anything more you care to say about this claim?—A. That's about all.

MARY SCHUSTER:

Mary Schuster, witness on claim of James Schuster.

Caroline Johnston was duly sworn as interpreter.

Q. Where were you born?—A. In Samoa.

Q. Are you a full-blood Samoan?—A. I am half Samoan and half British.

Q. What was the name of your husband, if you had any?—A. James Schuster.

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Q. Is he living or dead?—A. He died about one month ago.

Q. When were you married to him?—A. Long time ago; was married to him by Jonas M. Coe.

(The records of the American consulate were here consulted, and in the book entitled "Register of American Citizens, deaths, births, and marriages," was found this entry, heading "Marriages": "No. 10. Date, January 3, 1868. James Schuster, 46, New York, N. Y. Place of birth, United States. Citizenship. Residence, Samoa. Mary Collins, 21. Birthplace, Samoa. Citizenship, Samoa. Residence, Samoa. Witnesses, William Collins, Michael Scanlan.")

Q. Were you married to any other man?—A. No.

Q. Did you live with your husband from the time of your marriage until he died?—A. Yes.

Q. Where did you live when the war started, in March, 1899?—A. At Malie.

Q. Who else lived in the place?—A. My husband, James Schuster, my sons, James, Alfred, Thomas, George, and my daughter Annie. My daughter Emma was in Fiji, married to a half-caste Fijian, named Campbell.

Q. Were these all of your children at the time?—A. Yes.

Q. Are they all living now?—A. Yes.

Q. Is Annie married now?—A. Yes; to a Britisher, Jepman, and lives in Fiji.

Q. What happened of an unusual nature, if anything, in March, 1899?—A. Mataafa was fighting with the Britishers and Americans.

Q. Did you remain on your place during the war?—A. We stayed there until the Mataafa people troubled us, and then we went to the missionaries' place at Malua, Mr. Newell's.

Q. How long was this after the war broke out?—A. About two weeks.

Q. Had there been any damage done to your place when you left it?—A. Yes; the Mataafa people had started taking things from our place.

Q. What was there on your place when the war broke out?—A. One wooden house—two rooms, parlor and one bedroom—and two Samoan houses—large. There was also a separate kitchen and another little wooden house we used for dining.

Q. What did these buildings contain at this time?—A. Two chests of drawers, 2 sofas, 3 big cane chairs and some small ones—about 5—2 boxes full of clothes, 1 sewing machine, 1 phonograph, about 40 common mats for floors, about 6 fine mats, 2 bedsteads, with pillows and bedding; a lot of Samoan things, kava bowls, and tapas, carpentry tools, crockery and glasses, 1 hanging lamp and 4 small lamps, 2 saddles. Have forgotten most of the things.

Q. What live stock was there on the place?—A. About 20 big pigs and a number of small ones—don't know how many; ducks and fowls, but I have forgotten how many; 4 cows, about 4 horses. That is about all I remember. In those days my husband did everything.

Q. When you left the place to go to the missionaries did you take anything with you off the place?—A. No; we took nothing, because the Mataafa people chased us off the place; we went off in a little boat and these people swam after us, but didn't catch us.

Q. When did you see the place after that?—A. Soon after the war.

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Q. How long were you away from the place at this time?—A. About two or three weeks. A white man came to make peace, and so we came back.

Q. Describe the condition of the place when you got back.—A. All the coconuts and breadfruits were cut down and all the houses and everything that had been in them was burned. We left an American flag flying over the place, but when we came back that was gone. All the ducks, pigs, horses, and cows were gone.

Q. Was any of this property ever recovered by your husband or you?—A. No; the Mataafa people started to take our horses before we left.

Q. Do you know anything about the value of the property in question?—A. No; my husband knew everything about that.

Q. Did all of this property belong to your husband, or was some of it property of your sons?—A. Some of it belonged to my sons.

Q. Do you know which was your husband's?—A. No; but the boys left everything to their father; he had charge of it all.

Q. Have you any intention of going to the United States to live?—A. No; I am too old.

Q. So far as you know, did your husband ever, directly or indirectly, receive any compensation from any person or Government for the damages in question?—A. No; we never received anything.

Q. Did your husband take any part in the war on either side?—A. No; he did not like the Samoans and took no part.

Q. Is there anything further you care to say about the case?—A. The Samoan house was burned before we left by the Mataafa men, and they threatened to cut our heads off if we didn't stop the ships from bombarding. They dragged my husband out of the house by his clothes.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia, or on board the men-of-war.

Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and adviser to the British and American commanding officers.

Q. Was there any bombardment from those vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malis, Faloula, Afega, Salieamoa, Utualia, and Falieasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Saluafata and the nearby place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi, and Faleapuna. In addition to that I went one day on the *Royalist* to Solosolo, and we landed a party of friendly natives and burned some houses. On March 31, we went west from Apia on the *Porpoise* with the launch of the *Philadelphia* and burned a boat at Satupuala.

On one occasion after that, when I wasn't along, the *Royalist* shelled in the vicinity of Fasitooti and Leulomoega. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii on April 1. I wasn't along then.

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Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

Q. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo?—A. I think not, but that is very close to Fasitooti and Leulomoega.

Q. Was there any at Tiavea or vicinity?—A. None.

Q. Did you know Thomas B. Coffin, of Solosolo?—A. Yes.

Q. And where he lives?—A. Yes.

Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place. I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.

Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

Q. Did you know James Schuster, of Malie, and where his house was?—A. Yes.

Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.

Q. Do you know of any damage done by war vessels to William Blocklock's store at Saluafata?—A. None.

Q. Was there any bombarding at Tiavea?—A. No. We went ashore once at Tiavea and found that the natives had not damaged the store of the St. Louis Planting Co., as had been reported to us. The man who had been in charge there had left there, but the natives showed us that the store had not been interfered with.

Q. Was there any bombarding at Falefa?—A. No.

Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was and don't think there was.

Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.

Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No; but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves, which we found did not exist.

Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise*?—A. Yes.

CHARLES TAYLOR:

Q. I show this paper and ask you what it is?—A. This paper was written by James Schuster the claimant. It was handed to me by him about three months ago. He said that I was to look after it, as his sons were illiterate and he thought he was about to die. He said the paper was the list of the property that he lost during the war of March, April, and May, 1899. He said he gave the original over to the authorities just after the war, having been requested by the English and American officers to make out such a list.

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Q. Are you familiar with Mr. Schuster's handwriting?—A. Yes.

Q. Have you seen him write?—A. Yes, often; he used to send me notes saying he wanted various little things, such as tea, sugar, etc.

Q. Is this paper you hold in his handwriting?—A. Yes.

Q. I shall mark this as "Exhibit B" and attach it to the depositions and take it with me if you have no objections.—A. You may take it.

Q. Is there anything else you care to state?—A. No.

Q. Is Mr. Schuster now dead?—A. Yes. He died five or six weeks ago.

JAMES SCHUSTER, CLAIMANT, EXHIBIT A.

J. R. B., V. C., U. S. A.

PROTECTION—UNITED STATES OF AMERICA.

State of Massachusetts. No. 1701. District of New Bedford.

I, William T. Russell, collector of the district aforesaid, do hereby certify that James Schuster, an American seaman, aged 23 years, or thereabouts, of the height of 5 feet 7½ inches, dark complexion, dark hair, native born at New York City, has this day produced to me proof in the manner directed in the act entitled "An act for the relief and protection of American seamen," and pursuant to the said act I do hereby certify that the said James Schuster is a citizen of the United States of America.

In witness whereof I have hereunto set my hand and seal of office this 7th day of December, in the year of our Lord 1852.

[SEAL.] WM. T. RUSSELL, *Collector.*

JAMES SCHUSTER, CLAIMANT, EXHIBIT B.

J. R. B., V. C., U. S. A.

hous burn down.		3 Chilles	$3.00
borded house	$70.00	1 gun Nipple	1.50
Sofer	12.00	1 brase & bits	5.00
bed Sted	10.00	1 pinchers	1.00
5 Chars	10.00	2 ruls	2.50
1 Chester draws	15.00	2 hamer	2.00
1 ditto	18.00	Nails Crus	1.00
10 Tumblers	2.00	4 pare hinges	4.00
1 lamp & Globe	3.00	2 Punch	2.00
1 smal	1.00	2 fishing spade	1.50
Maderson	2.00	1 wite wash brush	1.00
14 tin panikers	2.00	1 paint ditto	1.00
1 tee pot	1.00	2 parm Needles	1.50
1 Coffee ditto	1.50	2 Tarnove	3.00
15 qt. Kerosene	2.00	1 Cocknut Craper	1.00
7 knives forks	2.00	1 draw knife	1.50
8 spuns	1.50	2 Ovs	3.00
1 Chest	4.50	1 milk jug	.50
flor & Sleping mats	4.00	1 tin Cases	.50
1 tee Ketle	1.00	2 hats	2.00
lot ods & ends	1.50	1 large axe	2.50
1 Saddle bridle	12.50	10 empty bags	2.00
2 boat mast	2.50	2 plane	3.00
20 feet bords	1.00	1 stone gar	1.50
Nails for weyer fens	2.00	musick box	10.00
10 fathom weyer for mast boat	2.00	sowing machine	8.00
2 Iron Crow bars	3.00	1 money box	1.00
1 Tule chest	5.00	1 glafs plate	.50
2 Saws	4.00	1 Coffee mill	1.00
4 marling spike	4.00	1 stelard	4.00

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1 ballance ditto	$1.50
2 pare boots	3.50
reading books	4.00
1 Reasor	1.00
1 Spictle	1.00
1 Nature bild house	14.00
weyer destroyed	10.00
1 ditto Native	12.00
1 ditto	6.00
Cook house	4.00
hen-coop	2.00
6 boat pines	3.00
Iron for mast	2.00
1 box bucles	2.00
1 table	5.00
1 Safe	2.00
pigs & fowls.	
6 large Sow	90.00
1 ditto	$20.00
small pigs.	
41 pigs	40.00
46 fowls	12.00
small Cocconuts.	
trees 2 years old.	
large trees bearing.	
bread fruit trees bearing.	
tarro Cavmu.	
sugar Cane.	
Bonnanes	50.00
March 4, 1902 reported	
in addition to the above amt of.	556.50
One horse	60.00
One Cow	50.00
	666.50
	667.50, $1, error.

JAMES SCHUSTER, CLAIMANT, EXHIBIT C.

J. R. B., V. C., U. S. A.

Know all men by these presents: That I, I. Schuster, of the town of Fuseho, district of Aannu, on the island of Upolu, have made, constituted, and appointed, and by these presents do make, constitute, and appoint, J. P. Woodworth, esq., of the port of Apia, on the island of Upolu, my true and lawful attorney to perform and transact the following business, viz, to present to the honorable United States naval court, now convened at Apia, my claim against the Samoan Government, and in my name, place, and stead to ask, demand, collect, and receive all moneys due me from the aforesaid Government, giving and granting unto my said attorney full power and authority to perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

In witness whereof I have hereunto set my hand and seal, at the port of Apia, on the 17th day of April, 1875.

I. SCHUSTER [SEAL].

Witness—
JONAS M. COE.

AMERICAN CONSULATE AT APIA, *Samoan Islands:*

On this 17th day of April, A. D. 1875, before me, S. S. Foster, United States consul, personally appeared I. Schuster, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Witness my hand and official seal.

[SEAL.]

S. S. FOSTER,
United States Consul.

I hereby certify that the foregoing power of attorney has been duly recorded in the archives of the United States consulate at Apia and designated "Record Book D, No. 5, folio 490."

[SEAL.]

JONAS M. COE,
Acting United States Consul.

UNITED STATES CONSULATE, *Apia, October 30, 1875.*

I hereby transfer and assign the within power of attorney to W. Williamson, to perform every act and deed in the aforesaid power of attorney, to collect and receive money and every other act granted in the aforesaid power of attorney as fully to all intents and purposes as I might if personally present.

J. P. WOODWORTH.

PORT OF APIA, *November 6, 1875.*

Witness—
DAVID KINISON.

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NO. 8. WILLIAM BLACKLOCK.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia, or on board the men-of-war.

Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and adviser to the British and American commanding officers.

Q. Was there any bombardment from those vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malie, Falcula, Afega, Salieamoa, Utualia, and Falieasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Saluafata and the near-by place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi, and Faleapuna. In addition to that, I went one day on the *Royalist* to Solosolo and we landed a party of friendly natives and burnt some houses. On March 31 we went west from Apia on the *Porpoise*, with the launch of the *Philadelphia*, and burnt a boat at Satupuala. On one occasion after that, when I wasn't along, the *Royalist* shelled in the vicinity of Fasitooti and Leulomooga. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii, on April 1. I wasn't along then.

Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

Q. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo?—A. I think not; but that is very close to Fasitooti and Leulomoega.

Q. Was there any at Tiavea or vicinity?—A. None.

Q. Did you know Thomas B. Coffin, of Solosolo?—A. Yes.

Q. And where he lives?—A. Yes.

Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place. I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.

Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

Q. Did you know James Schuster, of Malie, and where his house was?—A. Yes.

Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.

Q. Do you know of any damage done by war vessels to William Blacklock's store at Saluafata?—A. None.

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Q. Was there any bombarding at Tiavea?—A. No. We went ashore once at Tiavea and found that the natives had not damaged the store of the St. Louis Planting Co., as had been reported to us. The man who had been in charge there had left there, but the natives showed us that the store had not been interfered with.

Q. Was there any bombarding at Falefa?—A. No.

Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was and don't think there was.

Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.

Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No; but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves, which we found did not exist.

Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise?*—A. Yes.

APELE:

Caroline Johnston being duly sworn as interpreter.

Q. Have you ever been married; and if so, to whom?—A. Yes; to William Blacklock, vice consul.

Q. When were you married to him?—A. Don't remember.

The records of the American consulate were here inspected and in the book entitled "Register of citizens, deaths, births, and marriages" was found this entry, under the heading "Marriages":

No. 52, February 17, 1887, William Blacklock and Apele; witnesses, T. Kenah and E. I. Burnham; ages of parties, respectively, 30 and 17; birthplace, respectively, Australia and Samoa; citizenship, United States and Samoa; residence of both, Samoa.

Q. How long did you live with Mr. Blacklock?—A. About 20 years.

Q. Did you reside with him in March, 1899?—A. Yes.

Q. Where did you then live?—A. On my place in Apia, Tanugamanono.

Q. Are you divorced from Mr. Blacklock?—A. Yes.

Q. When were you so divorced?—A. About four or five years ago.

Q. Have you since remarried?—A. Yes.

Q. To whom?—A. To a Samoan, Fulu, by a Samoan preacher and judge, Asi.

Q. To whom did the house on this property at Tagunamanono belong in March, 1899?—A. To Mr. Blacklock.

Q. And the furniture?—A. To Mr. Blacklock.

Q. What do you remember about anything unusual which may have happened in March, April, and May, 1899?—A. There was a war between Malietoa and Mataafa. Do not remember how long it lasted?

Q. Did you remain on your place all through the war?—A. I was there when it started, but when the bombardment began I went on board the man-of-war.

Q. What did you take with you?—A. Nothing but what I wore.

Q. Why not?—A. Because we left in a hurry as they were starting to bombard.

Q. How large was the house in which you then lived?—A. Four-roomed house, European style.

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Q. Were there any other buildings on the place?—A. There was a kitchen, and a house for the "black boys," the lower part of which was used as a stable, and one Samoan house.

Q. What furniture was there in the dwelling house?—A. Four rocking chairs, about 12 small chairs, 2 small tables and 2 large ones, 1 sofa, 1 marble-top washstand, 2 bedsteads, 3 boxes of clothes for myself and four children, 6 saddles, 1 hanging lamp, 5 small lamps, 2 lanterns, a lot of knives and forks (do not know how many), 1 hand sewing machine, 2 fine mats, and 7 big tapas, 14 common or Fijian mats, 3 bracelets, 1 silver and 2 gold, 1 gold brooch, also 30 shillings in a box, bedding and blankets for a number of beds. That is all I remember in the main house.

Q. What was in the kitchen?—A. Crockery, pots, pans, kettles, and a stove, axes, knives, and buckets, some provisions, keg of beef, tinned meats and salmon. That is all I remember.

Q. What was in the other buildings?—A. Nothing I remember.

Q. What live stock, if any, was there on the place?—A. About 70 fowls, 4 pigs, 2 large and 2 small, some ducks, 4 horses; but none were taken.

Q. When did you first see this place next?—A. As soon as the war was over I went back and lived on the place.

Q. Describe the condition of the place when you went back?—A. All the doors and windows were broken. The veranda posts and blinds were chopped with axes. All the chairs and furniture were broken, all the boxes and clothes were carried away, those things that they could not carry away they chopped and destroyed. There was some furniture there but it was all broken to pieces. Just the horses were saved. I do not remember anything else. The tanks were chopped up with axes. All the fowls and pigs were gone.

Q. Do you know who did this damage?—A. The Mataafa people, which were around there.

Q. Did you recover any of the things that were taken away?—A. We got back a box in which we kept photos, nothing else.

Q. Do you know whether your husband was ever paid for any of this loss?—A. I do not know.

Q. Do you know whether your husband, Mr. Blacklock, took any part in this war?—A. No; he took no part; neither did I—only took care of my children.

Q. Do you know anything about damages to Mr. Blacklock's property at Leone?—A. Only that a race horse of his was killed then at the time of the war.

Q. Do you know about damages to any other property of your husband's at this time?—A. No. By the way, I forgot to say that two music boxes were taken from my house during the war.

Q. Do you know anything about the values of the property you have said was lost or destroyed?—A. No.

Q. Did you ever visit your husband's station at Aleipata?—A. I know he had one there, but I never went there.

Q. Did you ever visit his station at Saluafata?—A. Yes; several times, but do not remember when.

Q. Who was living at your home, if anybody, at the time of the war?—A. My father and mother, who are dead now, and my two sisters, who are living.

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Q. Is there anything more you care to say about this case?—A. I forgot to say that I had two fine mats which were lost and a Sunday hat and some shoes—that is about all.

HERBERT BROWN:

Q. For whom do you appear?—A. William Blacklock, one of the claimants.

Q. What authority have you for such appearance?—A. This power of attorney dated at Sydney, New South Wales, March 10, 1911.

(The witness here produced a document purporting to be a full power of attorney, signed and sealed by William Blacklock, in the presence of J. P. Harper and C. A. Lawrence, and giving the said Herbert Brown authority "To generally act for me in Upolu in all matters." The witness states that he desires to keep this original document and promises to procure and leave with me a certified copy thereof.)

Q. Where does Mr. Blacklock now reside?—A. In Sydney, New South Wales, but he is in business also in Pago Pago, island of Tutuila—has a large store there.

Q. How long has he resided in Sydney?—A. About four years.

Q. Do you know where he was born?—A. I believe in Australia.

Q. Do you know of what country he is a citizen?—A. United States of America.

Q. Do you know how his citizenship was acquired?—A. By naturalization.

Q. Do you know on what date he was naturalized?—A. May 10, 1880.

Q. Have you his naturalization certificate?—A. I have a certified copy of it.

Q. I hand you a paper and ask you what it is?—A. A copy of the naturalization certificate of William Blacklock, certified to by T. R. Sheridan, clerk of circuit court in and for Douglas County, State of Oregon.

Q. I shall mark this as "Exhibit A" and attach it to your deposition if you have no objection to my taking it to Washington.—A. You may take it.

Q. Do you know when Mr. Blacklock first came to Samoa?—A. About 23 or 24 years ago.

Q. Do you know how long since he left the Island of Upolu?—A. About seven years ago.

Q. Do you know when he removed to Sydney?—A. About four years ago for his health's sake. He had been too long in the country, the doctor told him. He is the present postmaster at Pago Pago.

Q. Have you any further evidence to present on behalf of Mr. Blacklock?—A. I have some exparte affidavits.

Q. I show you this paper and ask you what it is?—A. An exparte affidavit by Mr. Blacklock, and also one by James Porter Harper. They are bound up together, setting forth in detail Mr. Blacklock's claimed losses by reason of the military and naval operations of the British and American forces in and about Apia in March, April, and May, 1899.

Q. I shall mark this as "Exhibit B" and attach it to the deposition, if you have no objection to my taking it to Washington.—A. You may take it.

Q. Did you live in Apia in March, 1899?—A. Yes.

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Q. What do you know about anything unusual which may have happened at that time?—A. There was a war which started about March 17, between the British and Americans on one side and the rebels on the other side, which lasted about two months.

Q. What can you say generally as to the damage done to the property of white residents in and about Apia during that war?—A. At that time I was laid up with a sore foot, and didn't myself see any of the damage.

Q. Do you know anything personally about the claim of Mr. Blacklock, or the losses claimed to have been suffered by him at this time?—A. Nothing personally, only that I have understood that his residence at Tanugamanono, Apia, was occupied by the Mataafa people during the war and they built forts on it, which forts I saw some months afterwards.

Q. Is there anything more that you care to say about the case?—A. No.

Q. How far is Aleipata from Apia?—A. 24 miles.

Q. How far is Saluafata from Apia?—A. Nine or ten miles.

GEORGE A. ARMSTRONG:

Q. Where did you live in March, 1899?—A. In Blacklock's store in Apia.

Q. What was your occupation then?—A. Salesman for Mr. Blacklock.

Q. Were you familiar with the place where Mr. Blacklock lived at Tagunamanono?—A. Yes; I lived there for a short time in 1891, and was there occasionally on a Sunday thereafter.

Q. How long before the war, in March, 1899, were you there last?—A. Perhaps as much as five months.

Q. What property did Mr. Blacklock have on that place at this time?—A. A dwelling house of five or six rooms, kitchen, stable, outhouses.

Q. What kind of a house was it?—A. A good house in every way. Comparatively new.

Q. What furniture was there in it?—A. It was good furniture—nearly all American oak chairs and tables, with iron bedsteads. I couldn't give the articles of furniture.

Q. Do you know anything about the live stock on the place?—A. He had a number of imported fowls and imported pigs, and an imported racehorse, four saddles for himself, wife and two children; buggy, road cart, and harness. Don't remember whether there were any cows there. The horse was a good one—I bought it for him myself in New Zealand. It cost him £30 there; then there was £7 freight, besides duty.

Q. How long before the war did you buy it?—A. About two years before the war. It was 5 years old then.

Q. Do you remember any music boxes in the house?—A. No; but there was a sewing machine, I recall.

Q. Did you go up to the place soon after the war?—A. I can't tell now whether I did or not.

Q. Then, you don't know whether Mr. Blacklock suffered any loss by the war?—A. Not of my own knowledge, but natives have told me that the horse was shot.

Q. Is there anything else that you care to say about the case?—A. No; I think not.

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WILLIAM BLACKLOCK—CLAIMANT'S EXHIBIT A.

J. R. B., vice consul, U. S. A.

At a regular term of the circuit court for Douglas County, Oreg., begun and held at Roseburg, in said county on Monday, the 10th day of May, 1880, at which were present Hon. J. F. Watson, judge; S. H. Hazard, district attorney; T. R. Sheridan, clerk; F. P. Hogan, sheriff, the following proceedings among others was had on Tuesday May 18, 1880, it being the eighth judicial day of the term, to wit:

ADMISSION OF WILLIAM BLACKLOCK.

Now at this day comes into court William Blacklock, a native of Australia and moves the court to be admitted a citizen of the United States, And it appearing to the court that said William Blacklock came to America in his infancy, that he has been more than five years last past, not including his infancy, a resident of the United States—and it appearing from the evidence of J. C. Fullerton and T. R. Sheridan that said William Blacklock is a man of good moral character and attached to the principles of the Government of the United States, That it has been bona fide his intention to become a citizen of the United States for five years last past. Thereupon the said William Blacklock upon his oath doth say that he will support the Constitution of the United States, and doth absolutely and forever renounce all allegiance and fidelity to all and every foreign prince, potentate, state, and sovereignty whatsoever, and particularly to Victoria, Queen of the United Kingdom of Great Britain and Ireland, of whom he was a late subject.

It is therefore considered ordered that the said William Blacklock be and hereby is admitted a citizen of the United States and entitled to all the rights and privileges extended by law to naturalized citizens.

Record signed:

J. F. WATSON, *Judge.*

Attest.

T. R. SHERIDAN, *Clerk.*

STATE OF OREGON, *County of Douglas, ss:*

I, T. R. Sheridan, clerk of the circuit court in and for Douglas County, State of Oregon, do hereby certify that the above is a true and correct copy of the admission of William Blacklock to become a citizen of the United States, as compared by me with the original of record and in my custody, and the whole of said original.

In witness whereof I have set my hand and official seal June 13, 1887.

[SEAL.] T. R. SHERIDAN,
Clerk of Circuit Court in and for Douglas County, State of Oregon.

WILLIAM BLACKLOCK.—CLAIMANT'S EXHIBIT B.

J. R. B. V. C. U. S. A.

In the matter of claims of William Blacklock for compensation for losses sustained and damages resulting from the bombardment of Apia, Samoa, in 1899.

I, William Blacklock, a citizen of the United States, do hereby certify that the losses and damages sustained by me resulting from the bombardment of Apia in 1899 amount to the sum of $2,476.25, as shown by the attached schedules marked "A. 1," "A. 2," "A. 3."

That the kinds and amount of property lost or injured are faithfully described and set forth in the attached schedules aforesaid.

That the entire amount of the claim does now and did at the time when it had its origin belong solely and absolutely to me.

That I have never received any sum of money or other equivalent or indemnification for the whole or any part of the loss or injury upon which the claim is founded.

[SEAL.] W. BLACKLOCK.
(WILLIAM BLACKLOCK.)

Sworn to and subscribed before me this 9th day of June, 1911.

E. VERNE RICHARDSON,
Vice and Deputy Consul General of the United States of America at Sydney, Australia.

(Consular stamp.)

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In the matter of claims of William Blacklock for compensation for losses sustained and damages resulting from the bombardment of Apia, Samoa, in 1899.

I, James Porter Harper, of Sydney, Australia, do hereby certify that in the years 1898 and 1899 I was in the employ of said William Blacklock in charge of his Saluafata station near Apia, Samoa.

That the losses and damages sustained by him resulting from the bombardment of Apia in 1899 as set forth in Schedule A–2 (included in attached documents) amounting to $261.27 is true and correct, and the kinds and amount of property lost or injured are faithfully described and set forth in the said schedule.

JAMES PORTER HARPER.

Sworn to and subscribed before me this 9th day of June, 1911.

[SEAL.]

E. VERNE RICHARDSON,
Vice and Deputy Consul General of the United States of America at Sydney, Australia.

(Consular stamp.)

W. Blacklock's war claims.

Aliepata Station, A–3	$1,053.73
Saluafata Station, A–2	261.27
Tanugamanono property, A–1	1,161.25
	2,476.25

SCHEDULE A–1.—*Statement of claims of William Blacklock referred to in attached certificate; kind and amount of property lost, injured, stolen, and destroyed from or belonging to his private residence at Tanugamanomo in the municipality of Apia.*

1 bureau	$12.00
1 dining table	8.00
1 set drawers	10.00
1 oak cupboard, 3 compartments	15.00
4 dining chairs, $1.25	5.00
2 rocking chairs, $3	6.00
1 cane deck chair	5.00
1 child's table and chair	4.00
1 basket trunk	7.00
2 camphor wood trunks, $7 and $10	17.00
1 hand sewing machine, new	15.00
3 lamps and hangings, $1	3.00
1 music box, large	25.00
1 music box, small	5.00
1 work basket and contents—scissors, etc	5.00
2 box irons, $1	2.00
1 side saddle, English, almost new, pigskin	25.00
1 child's saddle, bridle, cloth, etc	12.00
1 dozen, more or less, floor mats, almost new	20.00
1 dozen, more or less, bed mats, new	15.00
20, more or less, Fiji, Rotumah, Line Island mats, new	50.00
2 dozen Tapa on beds, new	15.00
1 Fao mat, new	8.00
2 fine mats, "Ie Toga"	30.00
7 large sheets, new, at $1.75	12.25
4 common sheets, at $1	4.00
4 pillow cases, at 75 cents	3.00
1 silk India bedspread	10.00
3 blankets—2 double and 1 single	10.00
2 Mosquito curtains and canopies, at $6	12.00
3 tablecloths, at $2.50	7.50
1 table cover	2.50
1 table cover	1.00
2 large bath towels, at 75 cents	1.50
5 smaller bath towels, at 50 cents	2.50
4 feather pillows, at $2.50	10.00
1 trunk of clothing, etc	30.00
4 dresses	10.00
4 trimmed hats	10.00

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5 lava lavas	$2.50
1 gold brooch	12.00
1 pair silver bracelets	8.00
6 large fancy gilt photo stands, at $2.50	15.00
8 smaller photo stands, at 75 cents	6.00
3 photo albums, at $2	6.00
1 pair pictures and frames (Cleveland and wife)	10.00
Lot photographs (can not be replaced)	10.00
1 pair blue flannel pants	3.00
1 blue flannel coat	5.00
1 suit pajamas	2.50
1 pair slippers	1.00
Other clothing	10.00
Brushes, combs, and glass, etc	5.00
Lot knives, forks, spoons, etc	5.00
Lot dishes, etc	10.00
Lot cooking utensils	10.00
1 meat safe destroyed	5.00
6 bamboo blinds, at $2	12.00
1 tank, 600-gallon	20.00
Doors broken	10.00
Windows broken	15.00
Locks smashed	5.00
Coat and hat hooks smashed off	2.00
Roof damaged, iron cut and torn off	5.00
Lot of tools, etc., viz: Spades, shovels, crowbars, pitchforks, hoes, rakes, axes, hatchets, hammers, saws, grindstone, whetstone, monkey wrenches, vise, wire stretchers, nails, staples, screws, paints and oils, brushes, ladders, chain, rope, leather collars, wire netting, scythe, grass hook, knives, brace and bits, screw drivers, chisels, bell, etc	50.00
Fences cut down, wire and labor repairing	25.00
Gates smashed, timber, posts, and labor	30.00
15 padlocks, 8 chains	8.00
About 80 imported and thoroughbred fowls	30.00
3 pigs	25.00
1 cow in milk	50.00
1 race horse, L40/–/–, imported	200.00
Labor repairing damage to land through building forts, etc	30.00
Labor repairing damage to house and outbuildings	20.00
Damage to house and fences on land near Apia called Leone	25.00
Loss of rent of house in Apia, 1 month, at $8	8.00
Loss of rent of house and store in Matautu, 2 months, at $10	20.00
	1,161.25

SCHEDULE A.—*Continued statement of claim of W. Blacklock referred to in attached certificate; kind and amount of property lost, injured, stolen, or destroyed, from or belonging to his trading station at Saluafata, on the Island of Upolu, Samoa.*

Front door and lock and spring bolts	$7.00
1 pane glass	.25
2 window fasteners	.25
Till, Tucker's alarm	2.50
Iron safe	30.00
2 door bolts	1.00
1 pane glass	.25
2 door locks	2.00
1 stepladder	2.50
600-pound platform scale	22.00
2 steelyards, at $2.50	5.00
2 cobra shovels	2.00
1 rake	.75
1 yam spade	1.00
1 handsaw	2.00
1 ax	1.25
1 shingle hatchet	.75
3 tablespoons	.50
1 screw driver	.50

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1 small funnel	$0.13
1 drum coal tar	2.00
1 roll wire netting (ullage)	2.00
1 ladder, common	1.50
1 zinc bucket	.75
Piece rope	.50
4 rowlocks	1.00
3 12-foot oars, $1.75	5.25
1 anchor and chain	6.00
1 boat	25.00
1 bracket lamp	1.50
1 stand lamp	.50
1 counter scale	2.50
1 glass showcase	30.00
3 linen window blinds and spring rollers, at $1.50	4.50
3 mats	1.50
Can opener	.25
4 knives, good quality	1.50
4 forks, good quality	.50
2 spoons	.15
3 teaspoons	.25
5 soup plates	.75
3 dinner plates	.50
4 cups and saucers	.75
1 sheath knife	.25
1 large knife	.37
3 pie dishes	.75
1 pie plate	.12
1 agate baking dish	1.00
1 coffeepot	1.00
1 fry pan	.50
2 saucepans, $1.50 and $2	3.50
1 teakettle	1.50
1 zinc bucket	1.00
2 stools	1.50
1 broom	.50
1 stove complete	15.00
1 piece pine, 3 by 4 by 24	1.00
2 sheets 8-foot iron	2.00
1 tall woodhorse	3.00
1 hammock and hooks	4.00
1 cupboard	5.00
1 lock	1.00
5 padlocks	2.50
1 gate	5.00
Damage to fence	5.00
Labor repairing damage	15.00
Expenses in connection with the breaking into and plundering the premises, twice sending men from Apia to close the place	20.00
	261.27

SCHEDULE A–3.—*Continued statement of claim of W. Blacklock, referred to in attached certificate; kind and amount of property lost, injured, stolen, or destroyed from or belonging to his trading station at Aleipata, on the island of Upolu, Samoa.*

5 kegs beef, $3	$15.00
13 cases kerosene, $2.50	32.50
Household stock—groceries from pantry	12.50
12 axes, $1.25	15.00
24 ax handles, 25 cents	6.00
1 case soap	6.00
1 case, ¾ pound, meat, 12 dozen, $1.50	18.00
1 dozen 14-inch knives, $6	6.00
½ dozen 20-inch knives, $12	6.00
1 dozen "pipe" knives, $9	9.00
1 case Florida water, $3	3.00
10 bottles machine oil destroyed, $3	2.50

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Perfumery, assorted lot, destroyed	$15.00
½ dozen umbrellas, $2.50	15.00
3 dozen umbrellas and parasols, $1 each	36.00
12 lamps, various, 75 cents	9.00
Paints, assorted lot	5.00
42 sais Samoan tobacco, $1	42.00
1 bag shot	3.00
12 fish spears	4.00
5 dozen, ¾ pound, beef and salmon, off shelves, $1.50	7.50
25 fish lines, 75 cents	18.75
30 yards velvet, 50 cents	15.00
40 yards llama, 16⅔ cents	6.66
500 yards common print, 8⅓ cents	41.66
300 yards calico, 8⅓ cents	25.00
Ink and stationery destroyed	5.00
40 yards flannelette, 16⅔ cents	6.66
1 dozen leather belts, 50 cents	6.00
80 yards clifton drill, 12½ cents	10.00
1 dozen sheaths, 25 cents each	3.00
2 dozen chemises, best, $9	18.00
Freight on goods removed to Apia to prevent them being stolen, and returning them	15.00
Passage for agent from Aleipata, he being threatened by the natives, and back, then return to Apia, in connection with the breaking into and plundering the store	15.00
Loss in business through having practically to close for 3 months, with expenses running on, per month, $200	600.00
	1,053.73

WILLIAM BLACKLOCK—CLAIMANT'S EXHIBIT C.

CITY OF SYDNEY, *State of New South Wales, Australia:*

Be it known that on the 10th day of March, 1911, before me, Charles Albert Laurence, a notary public practicing in Sydney, at the Mutual Life Buildings, George Street, personally came William Blacklock, to me known to be the individual described in and who executed the attached power of attorney, and acknowledged the same to be his act and deed.

C. A. LAURENCE,
Notary Public in Sydney, New South Wales.

Gesehen im Kaiserlich Deutschen General-Konsulat in Sydney zur Beglaubigung vorstehender Unterschrift des Hiesigen oeffentlichen Notars.

C. A. LAURENCE.

Sydney, den 16. Maerz 1911. Der Kaiserlich Deutsche General-Konsul.
I. V.
(Srempel) gez. Bünz. Gebuehr nach Pos. 20 des Tarifs M 10,.- sh 10/- No. 37.
This is the power of attorney referred to in the annexed certificate.

C. A. LAURENCE,
Notary Public.

POWER OF ATTORNEY.

Know all men by these presents that I, William Blacklock, of the city of Sydney, New South Wales, Australia, have made, constituted, and appointed, and by these presents do make, constitute, and appoint, Herbert G. Brown, of Apia, Samoa, merchant, my true and lawful attorney for me and in my name, place, and stead, to deal with all lands in Upolu, Samoa, whereof I am or may be in any way entitled or interested, to sell or lease the same or any part or parcel thereof, for such a sum or price, and on such terms, as to him shall seem meet, and for me and in my name to make, execute, acknowledge, and deliver good and sufficient deeds and conveyances for the same. To ask, demand, recover and receive any or all sum of money which may be due or which shall become due and owing to me, and to take all lawful ways and means for the recovery thereof. To execute and deliver sufficient discharges and acquittances thereof. To generally act for me in Upolu in all matters, giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done, as fully, to all intents and purposes,

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as I might or could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to be done by virtue thereof.

In witness whereof I have hereunto set my hand and seal the 16th day of February in the year 1911.

(Signed) W. BLACKLOCK.

Die vorstehende Abschrift wird hiermit beglaubigt.

Apia, den 13. Juli, 1911. Der Polizei-Vorsteher, I. V. [Signature illegible].
Signed and sealed in the presence of—

(Signed) J. P. HARPER,
Clerk to W. Blacklock.
C. A. LAURENCE,
Notary Public in Sydney, N. S. W.

WILLIAM BLACKLOCK—CLAIMANT'S EXHIBIT D.

J. R. B., vice consul, U. S. A.
Per "Namua."

ALEIPATA, *17 July, 1911.*

DEAR Mr. BROWN: Yours of the 13th July to hand on the 15th instant re American Government commissioner. I am sorry to say that neither Mr. Laban nor myself will be able to come. Mr. Laban only returned here on the 12th after a lengthy visit to Apia. At the time the store was broken into I was in Apia and although afterwards I made out W. B.'s claim I can not now recollect much about it. I remember this much, that he promised to pay me my wages, $80 for the two months wasted, when he got his claim settled, and if ever the claim is paid I shall expect to get it.

Herewith I send you particulars of the looting, signed by Mr. Laban, which should be of use to you in support of W. B.'s claim.

Yours, truly, J. TURNER.

W. Blacklock store at Satitoa, Aleipata, looted and damaged during the last war.

Store broken into by natives from Falefaa smashing a panel out of the front door and creeping through. Goods removed to the extent of about $800, very little of which was recovered, and that at great personal risk to myself, who followed the boat containing them to Samusu, where it had stopped in consequence of the rough weather, and by the aid of the Chief Tuisiloo (now dead) got back what little they had not made off with or destroyed, as also some meat buried in the sand and spoiled. The damage inside the store was considerable, show case smashed and emptied, and meat tins—of which they had eaten the contents—filled with excrement and put therein, prints thrown about and damaged. Four days afterwards natives from Vasau entered the store and carried off all the meat.

W. LABAN.

ALEIPATA, *17th July, 1911.*

Witness:
J. TURNER, *Aleipata.*

NO. 9. CHARLES L. NETZLER.

ALOFF RÖBÄCK.

Q. Where did you live in March, 1899?—A. In Fagalii, just outside the municipality of Apia.

Q. Did you then know the claimant, Charles L. Netzler?—A. Yes.

Q. Did you know of any property what he then owned in and about Apia?—A. Yes; he had some land in Pesega and some at Taufusi.

Q. What buildings, if any, did he have on the Pesega place?—A. A two-story dwelling house of four rooms.

Q. Any other buildings?—A. No.

Q. Do you know what he then had in this house?—A. I was along there nearly every Sunday and remember that the house was full of furniture, he was living there. He had sofa, chairs, box full of glasses, tables. All the four rooms were furnished; there was one sitting room, two bedrooms.

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Q. Did he have any live stock on the place at this time?—A. Yes; he had four or five pigs and some fowls; do not know how many.

Q. Was the land around the house under cultivation?—A. Yes, all of it; in coconut trees, breadfruit, taro, and bananas.

Q. How much land?—A. I do not know.

Q. Did you see this place during the war?—A. Yes; the Sunday after the battle at Fagalii, which occurred on April 1, 1899.

Q. What did you see there then?—A. Everything in the house was smashed, bedsteads, chairs, tables, glasses—all broken up. There was not a whole piece of furniture left. The window panes were broken and the doors broken up, the bedclothes were lying all around the floor.

Q. Any damage to the house except the doors and windows?—A. No.

Q. Did you then see any live stock on the place?—A. No; nothing.

Q. Do you know who did the damage?—A. No.

Q. Did you see Mr. Netzler's property at Taufusi soon before the war?—A. Yes; a week or two.

Q. How much land did he have there?—A. I can not tell.

Q. What buildings were on this land?—A. One, of two rooms, used as a dwelling house; it was a wooden house.

Q. Do you know what was in the house just before the war?—A. No.

Q. Any live stock on this place then?—A. Yes; a lot of pigs and fowls.

Q. Do you know to whom they belonged?—A. To Netzler.

Q. Was he working the place himself?—A. Yes.

Q. Was the place under cultivation?—A. All of it in coconuts, breadfruit, and bananas.

Q. Did you see this place during the war?—A. Yes; on the same day I saw the Pesega property.

Q. What was the condition of the place then?—A. The house was all broken open, the windows and doors were smashed, there was nothing whatsoever in the house. The fowls and pigs were all gone.

Q. Do you know who did the damage?—A. No.

Q. Do you know anything of the values of the property which was damaged or destroyed as you have stated?—A. No.

Q. Have you any interest, direct or indirect, in this claim?—A. No.

Q. Is that all you know about this claim?—A. Yes.

Q. Did you notice any damage to the crops or trees on either of these properties?—A. No; I did not take any notice.

CAROLINE NETZLER:

Q. Are you the wife of the claimant, Charles L. Netzler?—A. Yes.

Q. How long have you been his wife?—A. Twelve years.

Q. Were you living with him as his wife in March, 1899?—A. Yes.

Q. Where?—A. In Apia.

Q. What property did he own at that time, if any?—A. He had land at Pesega, Motootua, and at Taufusi.

Q. Do you know how much at either place?—A. No.

Q. Did he have any buildings on the land at Pesega at the time?—A. A house with four rooms and a fowl house and pig fence.

Q. Who lived there then?—A. A black boy and his wife.

Q. What was in the house?—A. Furniture, chairs, tables, and sofa; a bedstead.

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Q. Was there any live stock on the place?—A. Yes; pigs and fowls; do not know how many.

Q. Was the land under cultivation?—A. Yes; there were coconut trees, breadfruit, bananas, and taros.

Q. What buildings, if any, were on the Motootua place?—A. A two-room wooden house and shed.

Q. Who lived there?—A. A Samoan man and his wife.

Q. What was on the land?—A. Trees, coconuts, bananas, breadfruit, and cotton.

Q. What was in the house?—A. Some photos and chairs.

Q. Anything else?—A. No.

Q. Any live stock there?—A. Yes; fowls, pigs, and horses; do not know how many.

Q. Who owned all the property?—A. Mr. Netzler.

Q. Did not any of it belong to the people who were living in these houses?—A. No.

Q. Was there any building on the land at Taufusi?—A. A little house.

Q. Who lived there?—A. A black boy and his wife.

Q. What was in this house?—A. I do not remember; did not go in the house.

Q. Was there any live stock on the place?—A. No.

Q. What was on the land?—A. Breadfruit, coconuts, and bananas.

Q. Did you see the Pesega property soon after the war?—A. About a week afterwards.

Q. What did you see there then?—A. Everything was smashed up; the sofa, tables, and chairs were taken away, and so were all the fowls and pigs.

Q. How soon after the war did you see the Motootua property?—A. At the same time.

Q. What did you see there?—A. Just the same as at Pesega.

Q. How about the Motootua property; when did you see that?—A. At the same time.

Q. What did you see there?—A. The posts on the veranda were broken.

Q. Anything else?—A. No.

Q. Do you know anything about who did all this damage you have described?—A. No.

Q. Do you know anything about the value of the property which you said was damaged and destroyed?—A. No.

Q. Is there anything more that you wish to say about this case?—A. No.

Q. Are you a Samoan?—A. Half-caste.

CHARLES NETZLER.

Q. Where were you born?—A. In Denmark. When I was 7 years old, I went to Sweden.

Q. Were you naturalized in Sweden?—A. I took the oath of allegiance when I shipped on a Swedish vessel in 1859.

Q. State whether or not you are a citizen of the United States.—A. I am.

Q. How did you become a citizen of the United States?—A. By naturalization.

Q. In what court were you naturalized?—A. In San Francisco. I have forgotten the name of the court.

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Q. In what year were you naturalized?—A. In 1886.

Q. Have you your naturalization certificate?—A. I haven't it here. It is at home. [Witness at this point sent his wife home for the certificate.]

Q. Have you since your naturalization declared allegiance to any other Government?—A. No.

Q. Have you done anything to cause you to lose your United States citizenship?—A. Nothing; but that I haven't the money to return to the United States to live.

Q. When did you leave the United States after naturalization?—A. In 1886.

Q. When did you come to Samoa?—A. In 1867.

Q. How long did you stay there?—A. Off and on for about eight years, sailing sometimes.

Q. Where did you go then?—A. I went sailing. Had no house; lived on board ship.

Q. How long did you continue sailing?—A. For about three years, or until 1878.

Q. On what vessels did you sail?—A. On a German vessel out of Samoa, on a British ship from Sydney, New South Wales and on an American ship, *Ada May*, from San Francisco.

Q. For how much of the time were you on this American vessel?—A. About two years.

Q. After 1878, where did you go?—A. I started business in Apia.

Q. How long did you continue in that business?—A. Until 1901.

Q. Then, when you were naturalized you lived in Apia?—A. Yes. I went up to San Francisco to be naturalized.

Q. When did you declare your intention to become a citizen of the United States?—A. In 1876.

Q. Where have you lived since 1901?—A. In Samoa.

Q. Have you ever resided in the United States?—A. No.

Q. State whether your residence in Samoa is temporary or permanent.—A. I believe it has got to be permanent. I am too old to go away, and haven't got the means.

Q. State whether or not you intend to return to the United States to live permanently.—A. No; I do not.

Q. State whether or not your residence abroad is solely or principally as a representative of American trade and commerce.—A. It is not.

Q. State whether or not your residence in Samoa is for the purposes of education.—A. It is not.

Q. Is your residence in Samoa for reasons of health?—A. In one way it is, for if I should return to the United States I should die in a short time. I could not stand the change of climate.

Q. Have you ever, during your residence in Samoa, had an intention of returning to the United States to live?—A. Yes; in the early part of the nineties.

Q. What prevented you from going?—A. My store was burned down and I lost all my property, as my eight houses were burned at the same time. My insurance was very small. My loss was about $10,000 and insurance was $3,012. This was in 1895.

Q. How did you prove your case to entitle you to naturalization?—A. It was necessary for me to declare my intention to become an

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American citizen that I might act as officer on American merchant vessels.

Q. Do you understand that such service entitled you to such naturalization?—A. I was under the impression that it did.

Q. Did you ever reside in the United States?—A. No.

Q. Were you in Apia, Samoa, during the months of March, April, and May, 1899?—A. Yes.

Q. What was your business at that time?—A. General-store keeper.

Q. Of what country were you then a citizen?—A. Of the United States.

Q. State whether or not there was anything unusual occurred in Samoa during those months?—A. Yes. Mataafa and Malietoa were fighting and the British and Americans were helping Malietoa.

Q. Was any of your property injured or destroyed in that war?—A. Yes. Three different lands.

Q. State by whom it was injured or destroyed?—A. Some of it was destroyed by the Mataafa people about the 15th or 16th of March. About two or three weeks after other damage was done to my property by the Malietoa people. I did not see this done myself, but have heard and suppose this to be the case.

Q. State by items such of your property as was injured or damaged giving the value of each item?

The witness here presents a paper giving such itemized statement, saying that he swears that it is the copy of the estimate of his claim made soon after the losses were suffered, that the original which he has now changed a little omitting some items for which he does not now care to charge, was made up by him immediately after the war, when he went around to his properties and noted down the losses. He asks that it be received in evidence. [Received and marked "Claimant's Exhibit A."]

Q. How many pieces of real estate had you in and about Apia in March, 1899?—A. Three; at Pesega, Motootua, and Taufusi, all in the municipality of Apia.

Q. How much land did you have at Pesega?—A. About 3½ acres.

Q. Have you now your naturalization certificate?—A. Yes.

Q. I hand you herewith a paper and ask you what it is?—A. My naturalization certificate.

Q. I also mark this as "Exhibit B" and attach it to your deposition if you have no objection to my taking it to Washington.—A. You may take it, if the consul will give me a certified copy.

Q. Did you have a house on your Pesega place?—A. Yes; a $1,500 house.

Q. Are you claiming for damages to the house?—A. Only for a few panes of window glass.

Q. How many rooms in the house?—A. Four rooms downstairs and one half story above 4 feet high with roof running to a peak.

Q. Did you live there?—A. I had lived there but moved to town in 1897. Left my furniture at Pesega in charge of a native caretaker and his wife.

Q. Were they working the place for you?—A. Yes.

Q. Why did you leave such articles as a watchmaker's regulator, sextant, charts, etc., at Pesega?—A. Because after being burned out in town, I thought these articles were safer in Pesega.

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Q. How much, respectively, did the regulator and sextant cost you?—A. $30 and $38.

Q. Is it true that you are charging for all these articles what they cost you?—A. No; I am allowing for wear and tear for those articles which are subject to that.

Q. Do you think you could have sold the regulator and sextant for what they cost you?—A. Perhaps not.

Q. How much did you pay for the microscope?—A. $5.

Q. How much for the rifle?—A. About $10, and $5 more to the Government for importing it.

Q. How much did you pay for the four-wheeler?—A. $50.

Q. How much did you pay for the meerschaum pipes?—A. I think $5 each.

Q. What arrangement did you have with this native who was living in your house?—A. He was paid $10 a month and raised food for himself and also for me; brought it to me in Apia.

Q. What size taro patch was there?—A. About one-fourth of an acre.

Q. About how many taro plants will grow on an acre of ground?—A. Six thousand or seven thousand.

Q. How many coconut trees on this place?—A. About 100.

Q. How long before the war had you seen your Pesega place?—A. About a week.

Q. When, after the war, did you first go there?—A. Went out there before the war was finished several times—four or five.

Q. What did you see when you first entered the house?—A. Part of the furniture was carried away and all the rest was broken up.

Q. Did you see your regulator then?—A. Yes; all broken up.

Q. Did you see your sextant then?—A. No; it was gone.

Q. Did you save anything then?—A. I think only a few photographs.

Q. Why could you not have gone out and saved property before?—A. Because the natives were camped all around the place. I did not go until the Mataafa forces had withdrawn farther back.

Q. Did you have any notice of the beginning of the war?—A. No; only there were rumors that there was to be a bombardment by the British and American vessels. This bombardment started the war.

Q. Why did you not go out to save your property after hearing the rumors?—A. We could not get any natives to work for us. They were all getting ready for war, and besides we were excited and didn't think of these things.

Q. And yet you say you had your best furniture and belongings at Pesega?—A. Yes.

Q. How large was your place at Motootua?—A. Eighteen acres.

Q. House on it in 1899, March?—A. Yes.

Q. How large?—A. Sixteen by twenty-four with two verandas; European house.

Q. When did you buy this place?—A. In 1889 or 1890.

Q. How much did you pay for it?—A. $100 an acre, and put up the house and fences on it.

Q. How much under cultivation?—A. All of it in coconuts.

Q. Who was living on this place?—A. A native and his wife—working it on shares for me.

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Q. Did you visit the place often before the war?—A. Yes; I often went there to work, and every Sunday I went out.

Q. How much copra did you have on this place in March, 1899?—A. I couldn't tell; hadn't weighed it, but I think about 2 tons.

Q. How much would get for it?—A. I would sell it to the traders for about 2½ cents a pound.

Q. How many nuts did you get from this place in the spring of 1899?—A. About 3,000 a month.

Q. What did you do with these?—A. Made them into copra, sold them to planters for new planting, and fed them to hogs.

Q. How much copra did you get from 1,000 nuts?—A. About 500 pounds. These nuts were better than the average.

Q. How much land did you have at Taufusi?—A. About 5 acres.

Q. When did you buy that?—A. In 1887.

Q. How much did you pay for it?—A. Paid $450, and put improvements on it before March, 1899, to the value of about $750.

Q. What buildings did you have on it?—A. Small European house about 12 by 24, and a chicken house about 8 by 12.

Q. Did you visit this place shortly before the war?—A. About a month.

Q. Did you visit this place during the war?—A. Yes. About a week after the hostilities ceased.

Q. Describe what condition you found the place in.—A. Three veranda posts were gone, doors and windows had disappeared, all fences were cut down, chicken house was all gone. Didn't take notice of trees cut down.

Q. Your original claim includes the items of nuts and fruit trees at Taufusi. Do you wish now to claim for these?—A. No; I am only claiming for these items at Taufusi: One fowl house, lean-to, veranda posts, doors, shutters, fences, and gates; total, $96.

Q. In your items of claims for such articles as shears, lamps, etc., are you charging what the articles cost you?—A. No; I am deducting about 20 per cent for wear and tear.

Q. Have you ever, directly or indirectly, recovered any article lost?—A. No; none that is charged for.

Q. Have you ever received, directly or indirectly, any compensation from any person or Government for the damages referred to?—A. No.

Q. State whether or not, during the entire term of the war or military operation in question, you took any part for or against any faction, or party engaged in or having a part in such operations.—A. I did not.

Q. State whether or not you maintained a position of strict neutrality.—A. I did.

Q. Do you know anything further that you care to say about this?—A. Nothing, except that I became a citizen of the United States in good faith, and if there is any doubt about it now, there wasn't in 1899. I had American protection then. I would have put in my claim as a Swede, if I had not supposed myself an American. I could not put in my claim as a Swede when I had foresworn allegiance to the King of Sweden. If I had been a Swedish subject, my claim would probably have been paid long ago.

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CHARLES FREDRICK NETZLER being duly sworn testified as follows:

Q. What is your full name?—A. Charles Fredrick Netzler.

Q. Where were you born?—A. Flannsburg, Denmark.

Q. What year?—A. 1844.

Q. When did you first come to Samoa?—A. 1867.

Q. Had you resided in America before that time?—A. I never resided in America before that time.

Q. Have you ever resided in America since that time?—A. I have never resided in America, only on board of a ship off the shore.

Q. You have testified before in the matter of your claim that you served on board of the *Ada May*, an American vessel from San Francisco. How long did you serve, and between what dates?—A. I left here on board of the *Ada May* July, 1876. I returned on board of the *Ada May* to Samoa in November, 1877.

Q. In what capacity did you serve on board of the *Ada May*?—A. Chief mate.

Q. What voyages did you make on that vessel?—A. Four voyages.

Q. What was the length of time of each voyage?—A. Four months and a half.

Q. How long did you serve as chief mate on board of the *Ada May*?—A. Eighteen months.

Q. Who owned the *Ada May* at that time?—A. David Parker, Thomas Dixon, of Samoa, and the Jennings Bros., of San Francisco.

Q. Were all these parties American?—A. No; Dixon was a Britisher, Parker & Jennings Bros. were Americans.

Q. Did she fly the American flag?—A. Yes.

Q. Was she registered and where?—A. I presume she was registered in San Francisco.

Q. Upon the termination of your service aboard the *Ada May* did you receive a certificate of discharge and good conduct?—A. I did, and have it here [thereupon exhibited said discharge].

Q. Have you ever served on any other merchant American vessel?—A. No, sir.

Q. Did you ever make out your declaration of intention to become an American citizen?—A. I did in San Francisco as soon as we arrived from Samoa in September, 1876.

Q. Up to that time had you served upon any American ship before your arrival from Apia?—A. No, sir.

Q. When you presented yourself to the court for naturalization as an American citizen upon what ground did you claim such naturalization?—A. On the ground of my declaration of intention papers.

Q. Did you present to the court your certificate of discharge and good conduct from the *Ada May*?—A. I did not; I was not asked.

Q. How long were you connected as chief officer with the *Ada May*?—A. About 18 months.

Q. Since returning to Samoa in 1877 at the termination of your service on board of the *Ada May*, have you ever resided in the United States of America?—A. No; only traveling through en route from San Francisco to New York. Only once.

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CHARLES NETZLER, EXHIBIT A.

J. R. B., vice consul, U. S. A.

Pesega estate.

Furniture, 1 Wiena Sofa, $10; 1 Wiena rocker, $10	$20.00
2 Arm chairs, $10; 4 chairs, $8	18.00
Damage to Iron Bedstead, $5; damage to Watchmakers' Regulator, $30	35.00
1 Lot charts, $40; 1 Sextant, $38	78.00
1 Am. Sadle, $20; 1 Am. Sadle cloth, $3; 1 Bridle, $1.50; 1 Whip, $0.75	25.25
Dam. to Harnes, $15; to hand cart, $5;to 4 Wheel buggy, $0.50	20.50
1 Gate, $5; dam to Vire fences and posts, $5	10.00
2 Lamps (1 Hanging, $3; 1 Hand, $0.50)	3.50
6 Pots, $6; 1 Fry pan, $1	7.00
9 clarret glasses, $6.75; 6 Tumblers, $0.75; 17 Plates and Cups, $2.25	9.25
3 Vegetable dishes, $1.50; 2 Meat dishes, $1.50	3.00
4 Panes Window glasses, $2; 1 Teaketle, $2	4.00
1 Tesching Rifle, $9; 500 Cartridges, $5	14.00
1 Pigion holes for writing desk, $15 1 Night comode, $8	23.00
1 Side sadle dam., $10; 1 Mikroscope, $5	15.00
Tools. 1 Monkey wrench, $1; 3 Saws, $31; Plane, $1.25; 6 Chissels, $7.25.	12.50
1 Square, $1; 1 Hammer, $1	2.00
80 Chickens, $5; 2 Meershaum pipes, $8	13.00
Lost Knifes, forks, and spoons	3.75
3 Bed mats, $0.75; 2 Bed mats, $2.50; 2 pillows, $2; 1 sheet $0.50	5.75
1 Jug, $0.75; 2 pots, $4; 2 Buckets, $1	5.75
3 Spades, $3.25; 3 Axes, $4.25; 1 Horse rope, $0.75	8.25
6 Mats, $2.25; clothing, $5; 3 Hats, $2.25	9.50
4 Plates, $1; 1 Enam. Cup, $0.25	1.25
1 chest of drawers, dam., $5; 4 Decanters Cristal, $8	13.00
3 pairs Wind curtains, $4.50; 2 curtain poles, $5	9.50
1 pc. 6x6x20 Redwood, $4.20; 1 Ladder, $3	7.20
1 4-wheel work wagon destroyed, $50	50.00
1 Bak pan, $0.75; 6 coll. glas lanterns, $3	3.75
1 Tin 2B Meat, $0.25; 1 do. Fruit, $0.25; 1 do. Sardines, 12½	.62½
1 Bar Soap, $0.25	.25
	432.07½

LOSSES IN THE WAR, 1899.

Motootua estate.

6 panes of glas, $3; 3 door locks, $3	$6.00
1 Veranda post	2.00
Cutting to pieces and shifting Sched 20x60	50.00
3 gates, $15; 1 600 Gall. Tank, $35	50.00
Damage to vire fences and posts	50.00
Loss of 2 Horses, $25, $10	35.00
Loss of 13 fulgrown pigs, $130; 15 young, $45	175.00
Loss of 178 chickens	44.00
Loss of 2 Sadles, $25; 1 do. cloth, $2; 1 Bridle, $5	32.00
Loss of 3 Spades, $3; 1 Crowbar, $1.50; 3 pictures, $4.50	9.00
Loss of crockery, Plates, dishes, $2.25; 4 Basins, $0.50	2.75
Loss of 3 Knifes	1.00
Loss of Tools, 1 Hamer, $1; 1 Saw, $2; 1 Virestrainer, $2.50	5.50
Loss of 2 Axes, $2.50; 1 Lot Nails, $1	3.50
Loss of 20 Btls Coal oil, $1; 1 Gros Matches, $0.75; 4 Horse ropes, $1	2.75
2 Mosquito screens, $6.25; 1 Bed stead, $10	16.25
4 Bars Soap, $1; 1 Fowling piece (Shot gun), $5	6.00
1 Native cook house, $5; 1 Shed, $5	10.00
2 Tarroas, $10; $1.50	11.50
3 Lamps, $1.50; 1 Lantern, $1.25	2.75
20 Sheets (old) Corr. Iron, $2.50; Krib, $1.75	4.25
2 Charcoal Irons	2.50
	522.75

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Taufusi estate.

1 Fowl house, $20; or Dam. to dwell house Lean to, $8	$28.00
4 Verandah posts, $4; 1 Door, $2; Shuters, $2	8.00
Damage to Fences and gates	60.00
	96.00
Loss of imported fruit trees, $20; Samoan do., $23	43.00
Loss of produs Motootua	275.00
Loss of produs Pesega	20.00
	295.00
	797.75
	595.39
	96.00
Total	1,403.87

CHARLES NETZLER, EXHIBIT B.

J R. B., vice consul, United States of America.

UNITED STATES OF AMERICA.

RECORD OF NATURALIZATION.

In the District Court of the United States for the District of California.

In the matter of the naturalization of Charles Frederick Netzler.

Be it remembered, that on this 20th day of April, A. D. 1886, being a day in the April term, A. D. 1886, of said court, Charles Frederick Netzler, a native of Sweden, an alien, and late a subject of the King of Sweden and Norway, appeared in said court and applied to be admitted a citizen of the United States of America, pursuant to the acts of Congress in relation thereto; and having then produced and exhibited to the court a certified copy of his declaration of intention to become a citizen of the United States of America, made in the fourth district court, city and county of San Francisco, Cal., on the 10th day of August, 1876, and proved by the oaths of A. A. Hooper and D. S. Parker, citizens of the United States; his residence within the United States for the last five years and his residence within the State for the last year and by said witnesses and other satisfactory proofs that he is entitled to be made a citizen of the United States: and having on oath then declared before said court that he will support the Constitution of the United States of America, and that he doth absolutely and entirely renounce and adjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to Oscar II, King of Sweden and Norway, of whom he has hitherto been a subject.

Whereupon it is ordered by the court that said Charles Frederick Netzler be admitted, and he is hereby adjudged and declared to be a citizen of the United States of America.

In open court:

GEO. M. SAPIN,
United States District Judge, District of Nevada, Presiding.

Attest:

SOUTHARD HOFFMAN,
Clerk of said District Court.

CLERK'S OFFICE, UNITED STATES DISTRICT COURT,
District of California, ss:

I, Southard Hoffman, clerk of the District Court of the United States for the District of California, do hereby certify that the foregoing is a full, true, and correct copy of a record now remaining in my office.

In witness whereof I have hereunto set my hand and affixed the seal of said court, at San Francisco, the 20th day of April, A. D. 1886, and of the independence of the United States the one hundred and tenth.

SOUTHARD HOFFMAN, *Clerk.*
J. S. MANLEY, *Deputy Clerk*

[SEAL.]

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NO. 10. CHARLES FRUEAN, SR.

BESSIE.

Q. What do you know about the claim of Charles Fruean against the United States growing out of the naval and military operations in and about Apia in March, April, and May, 1899?—A. I am a relative of Mr. Fruean's family and often visited him at his places at Papauta and Apia.

Q. How long before the war had you been to this Papauta place?—A. Between the first and second wars.

Q. Was there any damage done there by the first war?—A. One of the houses was cut down in the first war, and some of the coconut trees were also cut down.

Q. What did you see on the place on the occasion of the visit you have mentioned?—A. Pigs and fowls, taro and kava; don't know how many of any, and there was one house still standing. The mats were there and everything inside the house was all right. There were some coconut trees.

Q. When did you see the place after the second war?—A. Right after the war.

Q. Describe the condition of the place then?—A. The house was all gone, the taro and kava, pigs and chickens were all gone, and most of the coconut trees were cut down. All the furniture of the house was gone.

Q. When did you last see the Apia house of Mr. Fruean's before the second war?—A. Was there every few days.

Q. Was any damage done to the house in the first war?—A. Some posts were broken and windows and doors.

Q. Was this damage repaired before the second war?—A. Yes.

Q. When did you see this place after the second war?—A. Right away afterwards.

Q. What was its condition then?—A. The doors and windows were broken and the floor damaged by axes.

Q. Is there anything more you care to say about the case?—A. No.

CHARLES FRUEAN.

Q. Where were you born?—A. In Apia.

Q. State whether or not you are a citizen of the United States.—A. Yes.

Q. Have you ever declared allegiance to any other Government?—A. No.

Q. State whether or not you have done anything to cause you to lose your American citizenship.—A. No, sir.

Q. How was your citizenship acquired?—Because my father was always recognized as an American citizen.

Q. Do you know where he was born?—A. Boston, Mass.

Q. When did he come to Samoa?—A. Before any religion came here, before 1833.

Q. Is your father living or dead?—A. Dead.

Q. When did he die?—A. About 30 years ago.

Q. Where?—A. Here in Samoa.

Q. What was your mother's name?—A. Mary Ann.

Q. What race was she?—A. Samoan.

Q. Were your father and mother married?—A. Yes.

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Q. When?—A. Don't know the date, but they were married, so I understand, by Mr. Stair, a missionary.

Q. When did your mother die?—A. About 20 years ago.

Q. Did they live together as husband and wife up to the time of your father's death?—A. Yes.

Q. Were you ever registered as an American citizen, in the American consulate at Apia?—A. No.

Q. Are any of your family, so far as you know?—A. No.

Q. Have you any evidence as to the place of birth of your father?—A. No, sir.

Q. Have you any evidence of the marriage of your parents?—A. No.

Q. Have you ever seen any letters received by your father from the United States?—A. Yes; from his brother, Sargeant Fruean, his sister, Sarah Fruean, and his brother's son, Edward, written just after the Civil War in America. These told about Sargeant being in the war and coming out without a scratch.

Q. State whether or not your residence in Samoa is temporary or permanent.—A. Permanent.

Q. Were you living in Apia, Samoa, in March, April, and May, 1899?—A. Yes.

Q. What was your occupation at that time?—A. Planting.

Q. Of what country were you then a citizen?—A. Of the United States.

Q. State whether or not anything unusual occurred in Samoa during those months.—A. Yes; a war between Mataafa and Malietoa, in which the English and Americans fought for Malietoa.

Q. Was any of your property injured or destroyed in that war?—A. Yes.

Q. State by whom it was so injured or destroyed.—A. The Mataafa party.

Q. Where was this property located?—A. Some in Papauta, a suburb of Apia, and some in Apia itself.

Q. What land did you then own, if any, in either of these places?—A. Ten acres here in Papauta and about an acre here in Apia.

Q. What buildings, if any, did you have on either of the places?—A. Two Samoan houses in Papauta, and a European house in Apia.

Q. How did you become the owner of these places?—A. I bought the one in Papauta from a German, and the one in Apia belonged to my wife.

Q. About when did you buy the land in Papauta?—A. About 1892.

Q. How much did you pay for it?—A. $200. It was then all bush land; not any of it under cultivation.

Q. State by items such of your property as was destroyed, giving the value of each item so destroyed.

The witness here presents a paper and asks that it be received in evidence.

Q. I show you this paper and ask you what it is?—A. This is a list which I recently made up, giving my best recollection of all my losses.

Q. Where was all this property located at the time of the war?—A. The carpenter tools, boat, meat safe, crockery, treadle sewing machine, and most of the clothing was in Apia. The balance at Papauta.

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Q. Where did you live when the war started?—A. I lived in Papauta, but we came down to Mulinuu about a day before the war started. The word came out from the Admiral for all the people in the bush to come to town.

Q. Did you see any fighting men around your place before you started?—A. No; but we met them on the road on the way down. (By witness:) I mean to say that the day before the fighting started I came to Apia from Papauta, and the next day I left my Apia house and went to Mulinuu to get out of the way of the shells.

Q. Did you bring anything with you from Papauta to Apia?—A. I brought all our clothing.

Q. Anything else?—A. No.

Q. Why not?—A. We might have brought the mats, but we though they would be safe, as they were put up in the tops of the houses.

Q. Who were living with you at Papauta at the time?—A. Only me and my wife; all the children were in Apia.

Q. When did you next see your plantation?—A. When the war stopped, in about two months.

Q. What was the condition of the place then?—A. The houses were smashed flat to the ground; the taro and kava was all gone; so were the mats, pigs, and fowls—everything.

Q. How long did you stay in Mulinuu?—A. All through the war.

Q. Did your house in Apia remain closed during all this time?—A. Yes.

Q. Where was this house?—A. Just back of Pettibone's hotel, which fronted the beach.

Q. Why didn't you live in your house during the war?—A. Because no one was allowed to live in a house back from the beach.

Q. When did you go back to your house in Apia?—A. When the war was over.

Q. What did you see there then?—A. Everything was smashed up.

Q. Didn't you lock the house when you left?—A. Yes.

Q. How, then, did anybody get into your house?—A. They smashed the doors and windows down.

Q. Weren't there soldiers about there then?—A. Yes.

Q. Now, wasn't it in the first or January war that your Apia house was damaged?—A. Some in the first and some in the second.

Q. Did you lose any clothes in the first war?—A. Yes.

Q. Out of your house in Apia?—A. Yes.

Q. Did you lose any tools in the first war?—A. Yes; all of the tools were gone in the first war.

Q. Was your boat for which you are claiming lost in the first war?—A. In the first war.

Q. How about the crockery and cooking utensils?—A. All lost in the first war; I remember now, and the machines.

Q. How about the damage to your dwelling house?—A. That was done in the second war—doors and windows smashed down.

Q. Where did you and your family stay during the first war?—A. At Peter Fabricius's house.

Q. All left your own house?—A. Yes.

Q. Did you ever recover any of the property lost from your plantation?—A. No.

Q. Did you ever receive any compensation therefor from any person or government?—A. No.

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Q. Did you take any part in either of these wars, for or against any side or faction?—A. No.

Q. How long had you been living on the plantation when the war broke out?—A. About 10 years.

Q. When you moved there, did you start planting right away?—A. Yes.

Q. What did you plant?—A. Coconut, breadfruit, yams, cocoa, and taro.

Q. How much taro had you when the war broke out?—A. Never counted.

Q. How many coconut trees had you then?—A. Three hundred and fifty trees—just started bearing.

Q. After the first war did you buy crockery, cooking utensils for your house in Apia?—A. Yes.

Q. Did you buy as much as you lost?—A. No.

Q. Did this boat for which you claim belong to you?—A. No; to my son.

Q. Is there anything more that you care to say?—A. No.

Q. Was any damage done to your plantation property during the first war?—A. No.

CHARLES FRUEAN, Jr.:

Q. What relation are you to the claimant Charles Fruean?—A. Son.

Q. Where were you born?—A. Apia.

Q. Have you always lived here?—A. Yes.

Q. Did you live in Apia in March, 1899?—A. Yes.

Q. What was your occupation then?—A. Carpenter.

Q. Who owned the house, the house you then lived in?—A. My father.

Q. Did he own any other property in this vicinity at that time?—A. Papauta.

Q. How long before the war in March, 1899, did you see this property at Papauta.—A. Went there almost every day.

Q. What property did he have out there when this war started?—A. A big Samoan house, chickens and pigs, lots of them, big patch of taro, yams, big patch, coconuts, breadfruit, and bananas, over 40 fine mats, think over 100 floor mats, plates, dishes, meat safe, 2 sewing machines—1 treadle and 1 hand, boxes for clothing.

Q. How soon after the war did you go up there?—A. The first day after.

Q. What did you see there then?—A. Nothing there; no houses, breadfruit and coconut trees girdled or cut down. Bananas all eaten. Pigs and fowls all gone, no taro, no kava, no yams. Not all the coconut trees were damaged or the breadfruit.

Q. Do you know who did this damage?—A. No.

Q. Do you know about the value of the property damaged?—A. Counting our work on the land, and all our food taken, I think about $1,000.

Q. Did you build the house which was destroyed?—A. No. Hired some Samoan carpenter.

Q. How much did it cost you?—A. $500—over that.

Q. Where did you live at this time of the war?—A. In Apia.

Q. Was there any damage done to the place where you lived in the second war?—A. Yes.

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Q. To whom did the property in the house belong?—A. Some to my father and some to me.

Q. Did you live in the house during the war?—A. No; we went to Mulinuu.

Q. What was in your house when you left?—A. Big bed, and five or six boxes of clothes, tool box containing carpenter tools, house was all furnished throughout.

Q. How many rooms in this house?—A. Three.

Q. Did you come back to the place during the war?—A. Yes; sometimes with American and English soldiers.

Q. What was the condition of your property when you first saw it after you went to Mulinuu?—A. Everything was taken out of the house, all gone. There wasn't a thing left in the house.

Q. The carpenter's tools belonged to you?—A. Yes.

Q. Can you tell which of this property was yours and which was your father's?—A. No.

Q. What was your mother's name?—A. Mary, a Samoan.

Q. Is she living or dead?—A. Dead.

Q. How long has she been dead?—A. About seven years.

Q. Can you furnish evidence of the marriage of your father and mother?—A. Yes; from the British consul.

Q. Did you ever recover any of the property which you have said was lost?—A. No.

Q. Have you ever received any pay from any Government or person therefor?—A. No.

Q. Did you take any part in this war?—A. I joined the British and American forces and fought with them during the war.

Q. Is there anything more you care to say about the case?—A. That's all.

E. HALL.

Q. What do you know about the claim of Charles Fruean against the United States for losses growing out of the war in March, April, and May, 1899?—A. When the war broke out I lived about a mile from his Papautu place and about seven minutes walk from his Apia place. The people I lived with were relatives of Mr. Fruean and I frequently visited both of his places with them.

Q. How long before the war did you last visit his Papautu place?—A. About a month.

Q. What property did you see there then?—A. He had some coconut trees, plenty of taro, some pigs, don't know how many, some fowls, couldn't say how many, two fair-sized native houses; don't recall anything else.

Q. How soon after the war did you see the place?—A. Between two and three months.

Q. What did you see then?—A. The houses were torn down—all gone; saw broken crockery. The taro was nearly all gone. Didn't notice about the kava. The chickens and pigs were gone.

Q. Do you know by whom this damage was done?—A. No.

Q. Do you know anything about the value of the property claimed to have been lost or destroyed?—A. No.

Q. How long before the war did you see Mr. Fruean's place in Apia?—A. About a week.

Q. What kind of a house was that?—A. Three-roomed European house.

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Q. When did you first see this after the war?—A. I was up there during the war, and the place was all damaged then.

Q. What damage appeared to have been done?—A. The windows and doors most of them were smashed, and there were a few chests lying about.

Q. Were there any coconut trees standing on the Papautu place after the war?—A. There were a few standing.

Q. What did you see of any crockery, utensils of cooking, and tools at the Apia house between the first and second war?—A. There were some crockery and utensils there and a chest of tools belonging to Charley Fruean—he was doing carpenter work.

Q. Is there anything more you care to say?—A. The second war was the one in which most of the damage was done. There wasn't much damage done in the first war because they went back to live there afterwards, in the Apia house.

Q. How much time elapsed between the first and second wars?—A. About two months.

CHARLES FRUEAN, CLAIMANT'S EXHIBIT A.

J. R. B., V. C., U. S. A.

List of my losses sustained during the war in Samoa of 1899, and which I now humbly present before the U. S. Commissioner Baker, representing the State Department.

1.	2 large Samoan houses, at $120	$240.00
2.	2 treadle sewing machines, at $25	50.00
3.	1 hand sewing machine, at $15	15.00
4.	40 ie toga fine mats	312.50
5.	6 large pigs, at $20	120.00
6.	2,000 taro	10.00
7.	6 large chests full of clothing and containing other valuables, at $40	240.00
8.	100 fowls, at 25 cents	25.00
9.	1 acre kava plantation	25.00
10.	Plantation of breadfruit, coconuts, and bananas	100.00
11.	1 large chest of carpenters' tools	100.00
12.	1 boat	100.00
13.	Papa mats, at 25 cents	25.00
14.	1 meat safe	10.00
15.	Crockery ware and other cooking utensils	50.00
16.	Damage to dwelling house	50.00
		1,472.50

NO. 11. WILLIAM WALLWORK.

WILLIAM WALLWORK.

Q. Where were you born?—A. I believe in Manchester, England.

Q. State whether or not you are a United States citizen?—A. I was, but don't know whether I am now or not.

The CONSUL. The authorization of his registration is pending at present.

Q. How did you become a citizen of the United States?—A. Through my father's naturalization. I went to the United States when I was 2 years of age.

Q. How long after that did you remain in the United States?—A. Until I was 32.

Q. Have you any evidence of your father's naturalization?—A. My father's naturalization paper, which is here at the consulate.

Q. What was your last place of residence in the United States?—A. San Francisco.

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Q. Where did you go from there?—A. To Samoa.
Q. Have you lived here ever since?—A. Yes.
Q. I show you this paper and ask you what it is?—A. It is my father's naturalization certificate.
Q. I shall mark this as "Exhibit A" and attach it to your deposition, if you have no objection to my taking it to Washington.—A. You may take it.
Q. State whether or not since your naturalization you have declared allegiance to any other Government than the United States.—A. No.
Q. Is it your understanding that you became a citizen of the United States upon attaining the age of 21 by virtue of your father's naturalization?—A. Yes.
Q. Did you ever yourself make any declaration of intention to become a United States citizen?—A. No.
Q. Did you ever vote in the United States?—A. Yes; in Philadelphia, when Grant first ran for President.
Q. Did you then exhibit your father's naturalization certificate?—A. Yes; and was allowed to vote by the election official.
Q. Have you ever done anything to cause you to lose your American citizenship?—A. Not that I know of.
Q. When did you leave the United States?—A. In 1877 or 1878.
Q. State whether your residence in Samoa is temporary or permanent.—A. I am not sure about it's being permanent. I want to go back to the United States to live.
Q. Is it your intention to return to the United States to live permanently?—A. I couldn't say whether I would live there permanently, because I am too old to work.
Q. Were you in Samoa during the months of March, April, and May, 1899?—A. I was.
Q. What was your occupation at that time?—A. A trader.
Q. Of what country were you then a citizen?—A. Of the United States.
Q. State whether anything unusual happened in those months.—A. There was a war between Mataafa on one side and Malietoa and the English and Americans on the other.
Q. Was there any of your property injured or destroyed in that war?—A. There was.
Q. State by items such of your property as was destroyed or lost, giving items.—A. Two horses, valued, respectively, at $50 and $40; 2 hogs, $50 for the two; 10 pigs, weighing from 10 to 20 pounds, $40; a lot of fowls, probably over 25, a shilling each; 2 guns, one a sporting rifle, cost $55 to make, brand new, value $50, the other gun, a breechloader, an old gun, fowling piece, $20; a number of cocoa trees, don't know how many, about 200 or 300, about $1.25 apiece; a gold-headed walking cane, $18. That comprises all of the property I lost except an acetylene plant, which I value at $50.
Q. What else are you claiming for?—A. Two months' loss of time, at $150 a month.
Q. Is that all of your claim?—A. Yes.
Q. Did you buy these 2 horses?—A. Yes.
Q. For how much?—A. Don't remember.
Q. About how old were they?—A. About 6 years each.

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Q. Where did you get this walking cane?—A. Mr. Moors made me a present of it.

Q. What did your acetylene plant consist of?—A. It was of galvanized iron, standing outside the store, on a veranda.

Q. How much did it cost to make it?—A. Can't tell.

Q. Did you make such plants for sale?—A. Yes.

Q. How much?—A. $60 for that size.

Q. How much profit would you make at that figure?—A. Might have made $20. Can't say exactly.

Q. How do you arrive at the estimate of $300 for lost time?—A. That is estimated on what I was earning just previous to the war. I was conducting a bakery on my own account besides trading for Moors.

Q. Did you remain at Fasitoo all through the war?—A. No. I had to get away.

Q. When did you leave?—A. In the middle of the war. I left by the *Porpoise*, British man-of-war.

Q. Why did you leave?—A. I was afraid to stay; afraid of my life.

Q. Were the natives in your vicinity threatening you at this time?—A. No; but the natives coming from other districts.

Q. What experience did you have that made you afraid?—A. The natives passing through said to me almost every day that they were going to cut my head off, and the friendly neighbors said that the hostiles would be likely to do it.

Q. Please describe the circumstances of your leaving.—A. I went with my wife and little boy as far as Leulumoega, 1½ miles away. The British and American boats were going down the coast firing into every village as they went along and they got down as far as Leulumœga and landed marines and threw shells. They went further down and set fire to all the native boats they could find. Before this I had waded out to a steam launch with my boy and got aboard, and was taken to the man-of-war, the *Porpoise*, and that brought me to Apia.

Q. Did you carry anything away with you?—A. No; I was too much of a hurry.

Q. Why didn't you take the walking stick?—A. That was taken before.

Q. When?—A. Early in the war.

Q. Stolen out of your house?—A. Yes.

Q. Do you know who took it?—A. No.

Q. Are you sure it was stolen in the war?—A. Yes.

Q. When did you go back to Fasitoo?—A. Just as the war was closing. I got into a canoe and went back.

Q. How long was that after you came here?—A. A month or two.

Q. Where did you stay during that time?—A. In Mulinuu.

Q. Did you have your wife and son with you?—A. No; she stayed at home. They wouldn't touch her. She was only afraid for my son and me.

Q. How were you fed at Mulinuu?—A. Mr. Carruthers, a British resident of Apia, brought food, and we foraged in the bush.

Q. What condition of things did you find when you got home?—A. Found that all the articles mentioned in my claim had been taken away, and nearly all my cocoa trees were cut down.

Q. About how old were those trees?—A. Three years.

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Q. Do you know who did this damage?—A. No.

Q. Didn't your wife see it done?—A. Yes, some of it; but she could not tell who did it, as the natives were all painted black at the time. If it hadn't been for an old chief living near by and a relation of my wife who lived in Savaii and came over and stayed at my place, they would have taken the whole of the store.

Q. Did you ever recover any of this property which was lost?—A. No.

Q. Did you ever receive any compensation from any person or Government for the losses you suffered?—A. No.

Q. Did you take any part in the war for or against any side or faction?—A. No; my part was to get out of it.

Q. Were you strictly neutral?—A. Yes.

Q. Is there anything more you care to say about your case?—A. No.

JAMES FROST:

Q. Where did you live in March, 1899?—A. In Fasitoo, next to Mr. Moor's station.

Q. Did you know William Wallwork at that time?—A. Yes.

Q. Where did he then live, with reference to you?—A. Just alongside.

Q. What property, if any, did he have there then?—A. He had about 4 acres of ground, all planted in cocoa, and a store.

Q. Did you stay in Fasitoo throughout the war?—A. Yes.

Q. What did you see, if anything, which happened to Mr. Wallwork's property during the war?—A. I saw the natives killing Wallwork's pigs, and saw them going into his house and take things out, meat and salmon. I saw them also cutting his cocoa trees down.

Q. Was that after Wallwork went away?—A. No. I went away with him and came to Apia.

Q. Then you didn't know what happened at Fasitoo after that?—A. No. I stayed at Apia.

Q. Is there anything more you care to say?—A. No.

IRVING C. HETHERINGTON:

Q. Did you live in Apia in March, 1899?—A. Yes.

Q. What was you business then?—A. Accountant with H. J. Moors.

Q. Did you then know William Wallwork?—A. Yes; he was trading for us at Fasitoo.

Q. That is, he was selling goods in your store there?—A. Selling goods and buying copra, both on a commission basis.

Q. How far is Fasitoo from Apia?—A. About 15 or 16 miles west.

Q. Did you know of your own knowledge, what happened to Wallwork at that time?—A. No.

Q. Do you know of your own knowledge, what commission Mr. Wallwork was receiving from Mr. Moors?—A. Ten per cent of the gross sales and $1 per thousand pounds for the copra he bought for us.

Q. Is there anything more that you care to say about the case now?—A. Nothing except that I should like to show Mr. Wallwork's account with us just preceding the war and just after.

Q. Are the books showing this in existence?—A. Yes.

Q. You should have those books present if you wish to give evidence from them?—A. I will produce them at a later date.

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(On August 11, 1911, Mr. Hetherington reappeared as a witness in this case and produced a ledger of H. J. Moors, showing the latter's accounts with William Wallwork at the Fasitoo store.)

Q. Are the entries in that book in your handwriting?—A. Yes.

Q. Were those entries made by you in the ordinary course of your employment by Mr. Moors?—A. Yes.

Q. And do they accurately represent the condition of the account at the time they were made?—A. Yes.

Q. What do they show with reference to the copra account in the months of January and February, 1899?—A. They show that in January, 1899, Mr. Wallwork was credited with 16,159 pounds of copra and in February with 2,975 pounds.

Q. What price was allowed to Mr. Wallwork as commission on these purchases of copra?—A. $1 per 1,000 pounds.

Q. How do the months of March and April correspond with those of January and February in the copra trade?—A. About the same. The business improves somewhat in May and the so-called copra season begins in June and extends until Christmas.

Q. What do the books show as to the receipt of copra from Mr. Wallwork in May, 1899?—A. 41,299 pounds.

Q. Does this book show the amount of sales by Mr. Wallwork in any one month of 1899?—A. No; they do not.

Q. Have you an interest, direct or indirect, in this claim?—A. No.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia, or on board the men-of-war.

Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and adviser to the British and American commanding officers.

Q. Was there any bombardment from those vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malie, Falcula, Afega, Salieamoa, Utualia, and Falieasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Saluafata and the nearby place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi, and Faleapuna. In addition to that, I went one day on the *Royalist* to Solosolo, and we landed a party of friendly natives and burned some houses. On March 31 we went west from Apia on the *Porpoise* with the launch of the *Philadelphia* and burned a boat at Satuapuala. On one occasion after that when I wasn't along the *Royalist* shelled in the vicinity of Fasitooti and Leulomoega. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii on April 1. I wasn't along then.

Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

Q. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo?—A. I think not, but that is very close to Fasitooti and Leulomoega.

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Q. Was there any at Tiavea or vicinity?—A. None.
Q. Did you know Thomas B. Coffin, of Solosolo?—A. Yes.
Q. And where he lives?—A. Yes.
Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place. I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.
Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.
Q. Did you know James Schuster, of Malie, and where his house was?—A. Yes.
Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.
Q. Do you know of any damage done by war vessels to William Blocklock's store at Saluafata?—A. None.
Q. Was there any bombarding at Tiavea?—A. No; we went ashore once at Tiavea and found that the natives had not damaged the store of the St. Louis Planting Co., as had been reported to us. The man who had been in charge there had left there, but the natives showed us that the store had not been interfered with.
Q. Was there any bombarding at Falefa?—A. No.
Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was and don't think there was.
Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.
Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No; but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves, which we found did not exist.
Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise?*—A. Yes.

WILLIAM WALLWORK, CLAIMANT'S EXHIBIT A.

J. R. B., vice consul, U. S. A.
UNITED STATES OF AMERICA:
Be it remembered, that, at the late district court, now court of common pleas for the county of Philadelphia, held at Philadelphia, in the Commonwealth of Pennsylvania, in the United States of America, on the 25th day of September, in the year of our Lord 1851, William Wallwork, a native of England, exhibited a petition praying to be admitted to become a citizen of the United States; and it appearing to the said court that he had declared on oath, before the prothonotary of court of common pleas, Delaware County, Pa., on the 24th day of September, A. D. 1849, that it was bona fide his intention to become a citizen of the United States and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatsoever, and particularly to the Queen of Great Britain and Ireland, of whom he was at that time a subject; and the said petitioner having on his solemn oath declared and also made proof thereof agreeably to law, to the satisfaction of the court, that he had resided one year and upward within the State of Pennsylvania, and within the United States of America upward of five years immediately preceding his application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and

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well disposed to the good order and happiness of the same; and having declared on his solemn oath, before the said court, that he would support the Constitution of the United States, and that he did absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatsoever, and particularly to the Queen of Great Britain and Ireland, of whom he was before a subject; and having in all respects complied with the laws in regard to naturalization, thereupon the court admitted the said William Wallwork to become a citizen of the United States, and ordered all the proceedings aforesaid to be recorded by the prothonotary of said court, which was done accordingly.

In witness whereof, I have hereunto affixed the seal of the said court, at Philadelphia, this 29th day of January, in the year 1904, and of the sovereignty and independence of the United States of America the one hundred and twenty-eighth.

[SEAL.] M. RUSSELL THAYER,
Prothonotary.
Per C. B. ROBERTS,
Deputy Prothonotary.

NO. 12. HARRY J. MOORS.

ALFRED KENISON:

Q. Where did you live in March, 1899?—A. In Apia.

Q. Were you employed by H. J. Moors shortly after the war of 1899?—A. Yes.

Q. What was the nature of your employment?—A. As a carpenter.

Q. When did you begin this employment?—A. Shortly after the war.

Q. What did you do?—A. I put patches of iron on the roof of the Tivoli Hotel.

Q. How did the roof appear to have been damaged?—A. Shot by bullets.

Q. What else did you do then?—A. Put new set of locks on the doors throughout.

Q. What was wrong with the old locks?—A. All broken; apparently smashed by axes.

Q. Anything else?—A. Put in a number of window panes which had been broken, and several new window frames. The old ones had been apparently smashed by axes. Some of the door facings I also replaced, as they were smashed. A section of the veranda had been carried away, apparently by a cannon shot. Some of the bar had been chopped away and the shelving. The pump was all broken, the billiard table was chopped, and the cloth torn off. The cookhouse and other outhouses were broken—that is, the doors were smashed. I fixed all these. The Tivoli store was riddled with shots. I put on this new iron roofing and new weather boarding, and repaired the doors. Everything in the bar room was all smashed up, glasses, bottles. The paint and wall paper in the hotel was so damaged that it had to be painted and papered throughout. The hotel was full of leaves which had blown in.

Q. How long did you work on these premises at the time?—A. Not right sure, but about 10 days.

Q. Did you have men helping you?—A. Yes; about four or five.

Q. Did you do any other work for Mr. Moors at this time?—A. Yes, at Papaloloa. The sides and the floors of some of the houses were torn out, and the windows and doors had been removed. I repaired these and also the water tanks, which had been chopped in with axes. The gates were all destroyed, we had to make new ones, and the wires had been cut off from the posts in the fencing. I did some of this repairing.

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Q. Did you see any evidence of other damage to the plantation?—A. The banana trees were all leveled to the ground and the pineapples were all gone.

Q. What other work did you then do for Mr. Moors, if any?—A. I worked on his lighter, which was almost new when the war started.

Q. What was the capacity or size of this lighter?—A. I do not remember.

Q. What was its condition after the war?—A. It was badly warped and shrunken out of shape, with large seams and cracks.

Q. Did you make an effort to repair it?—A. Yes; but it was no use. It could not be repaired so as to keep out the water. It had to be broken up as it was of no use.

Q. Do you know who did the damage at the Tivoli Hotel?—A. No; but it was done during the war.

Q. Do you know who did the damage at the plantation?—A. Only that while I was there working, parties of natives came there repeatedly and took away bananas, and broke through the wire fencing that we had repaired.

Q. Were the natives armed?—A. Yes; with guns.

Q. Do you know what faction they belonged to?—A. Think some parties were of one faction and some of the other.

Q. Do you know anything about the value of this lighter?—A. Have forgotten.

Q. Do you know how long you worked for Mr. Moors on this repairing?—A. Do not remember.

Q. What wages were you receiving from him at the time?—A. 14 marks a day.

I. C. HETHERINGTON:

Q. Were you employed by H. J. Moors in March, 1899; and if so, in what capacity?—A. I was his accountant.

Q. What, if anything, happened to him at that time?—A. He was practically under arrest, with his house surrounded by an armed guard, and he was not permitted to leave his premises. I applied to several officers in charge of the guard for permission to converse with Mr. Moors, but this was refused. But I was allowed to communicate with him in writing, which I did by handing my letters to the officer of the guards, who would read the letters and then dispatch them. I got letters from Mr. Moors through the officer of the guard; was obliged to read them in the presence of the officer, who afterwards retained all the letters.

Q. Can you give the names of any of these officers?—A. Lieut. Cave, the first officer of H. M. S. *Porpoise*, and another British officer, whose name I have forgotten.

Q. Did you remain in Apia all through the war?—A. No. I left for Sydney, N. S. W., a few days after the first bombardment.

Q. Did this imprisonment or guarding of Mr. Moors have any effect upon his subsequent business, so far as you know?—A. Yes. Before the war we were accustomed at our Apia store to do a large business with American war vessels, many of which called at this port in those days. Since the war we have done no business with the American warships calling.

Q. Since the war are there as many American warships calling here as before?—A. No; but the vessel stationed at Pago Pago is in here several times a year.

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Q. To what do you attribute this failure in the American business?—A. To Mr. Moors's unpopularity after the war among Americans, because he tried to prevent the war.

Q. Do you attribute any other loss of Mr. Moors' to this cause?—A. Yes. After the war we did very little business at our stores at Pago Pago, Leone, Fagitua, and Manua. The first three of these stores were on the island of Tutuila and the other on the island of Manua, both of which islands were taken over by the Americans after the war. We closed the Fagitua store about a year after the war, the Leone place about two years after the war, the Manua place about a year later, and Pago Pago store three or four years ago.

Q. Why were these stores closed?—A. Because they were not doing enough business to keep them going.

Q. Do you know that Mr. Moors was the owner of a cottage at Matautu before the war?—A. Yes.

Q. Do you know what was in the cottage?—A. I have looked in it and seen a chair or two, screen, lamps, etc.; not very elaborately furnished.

Q. Do you know of your own knowledge whether any damage was done to this cottage or its contents during the war?—A. I know that this cottage was refurnished after the war, but did not see the cottage myself just at this time.

Q. Was Mr. Moors engaged in the fruit business at the outbreak of the war?—A. Yes. He was raising bananas and pineapples for export at his Papaloloa plantation, and he was also buying bananas, all for export to New Zealand.

Q. What was he paying for the bananas?—A. A shilling per bunch.

Q. At what prices were you selling these bananas in New Zealand?—A. At different prices, according to the market.

H. J Moors:

Q. Where were you born?—A. Detroit, Mich.

Q. State whether or not you are a citizen of the United States?—A. I am.

Q. Have you ever declared allegiance to any other Government?—A. No.

Q. Have you ever done anything else to forfeit your American citizenship?—A. No.

Q. When did you leave the United States?—A. I left in 1875, but have been back several times since on business.

Q. When did you first come to Samoa?—A. In 1875.

Q. How long have you lived in Samoa?—A. With the exception of about three years, I have lived here ever since 1875.

Q. State whether your residence in Samoa is temporary or permanent?—A. I have an intention of going to the United States to reside again, but can not say when I shall go.

Q. Were you in Apia, Samoa, during the months of March, April, and May, 1899?—A. I was.

Q. What was your occupation or business at that time?—A. General merchant, island trader, and planter.

Q. Of what Government or country were you then a citzen?—A. Of the United States.

Q. What happened during those months?—A. The war between the British and American warships on the one side and Mataafa on the other.

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Q. Was any of your property injured or destroyed in that war?—A. Yes; a great deal of it.

Q. Please state, by items, such of your property as was injured or destroyed, giving the damage done to such property as was injured, and the value of such property as was destroyed—A. [The witness here produces what he states is a list of his losses and damages, and asks that it be received in evidence.]

Q. I shall mark this as claimant's "Exhibit A," and attach it to your deposition.

Q. State whether or not you have ever received any compensation from any person or government on account of these damages?—A. No.

Q. Did you recover any of the property of which you made claim as lost?—A. No.

Q. State whether or not, during the entire period of the military operations, you took any part for or against any side, party, or faction engaged therein?—A. I tried to stop the war before it started, and afterwards tried to bring about an armistice. The latter I did by writing to Admiral Kautz, commanding the Americans and British, stating that I would, if permitted, go to Mataafa's camp, guarantee that I would get the latter to agree to almost any terms the Admiral might propose. I am perfectly sure I would have succeeded. My offer was declined. I took no part in the war except to try to stop it. I was under close guard in my house all the time.

Q. Did you maintain a position of strict neutrality all through the war?—A. Absolutely.

Q. Are you making any other claim than as set forth in the list you have furnished?—A. Yes, for false imprisonment. It is the sum of $20,000.

Q. Please describe briefly the circumstances of your imprisonment?—A. On March 16, 1899, I woke up to find my house surrounded by British marines from the ship *Porpoise*, under command of Lieut. Cave. Nothing was then said to me, but within a few days, during which I did not attempt to leave the premises, seeing that it would be useless, Lieut. Cave told me that I was not permitted to leave my premises, or to have any communication with any person outside the premises. Lieut. Miller, of the *Philadelphia*, also came to my place and ordered a fence at the back taken down, and told me I was rightfully imprisoned. This was about three or four days after the bombardment.

Q. For how long a time were you under guard in your house?—A. About six weeks.

Q. Did you leave the premises at any time during this period?—A. Yes. Three or four time I was taken out with my family, all under guard, while the war ships bombarded over the premises. This was because the ammunition used was defective and it was thought that fragments of the shells might strike the house.

Q. Where were you taken?—A. In front of the Catholic mission, about an eighth of a mile from my house and none of my family nor myself allowed to converse with anyone else. Usually we were so kept out two or three hours, and then returned to the house under guard.

Q. With these exceptions, did you and your family remain in your house during all this period?—A. Yes.

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Q. Was anyone else with you in the house?—A. S. H. Forsell, one of my employees was with me most of the time, and we had with us also three servants.

Q. Were you told at any time what was the reason of this imprisonment?—A. No. Although I applied to Admiral Kautz for the reasons.

Q. Did you, during this period of imprisonment, hold communication with any persons outside?—A. Two or three times persons were brought to me by the guard, and I talked with them in the presence of the guard, who took them away again. With these exceptions I held no verbal communications with anyone. I sent several letters to Admiral Kautz and Consul Osborne, but frequently the guards refused to accept the letters.

Q. Did you hold written communication with anyone else?—A. I do not remember having any other with persons in town, but I received and answered letters from outside the islands. Many goods arrived for me by vessels from outside the islands and I received notice from the customshouse to remove them. I have here a paper stating fully my experiences during this period and I ask that it be received in evidence.

Q. I will receive this and mark it "Claimant's Exhibit B," and attach it to your deposition.

Q. Where was this cottage located in which you claim to have lost property?—A. On the beach, just above my store in Matautu.

Q. Did you have this cottage rented at the time?—A. No; we kept it furnished for the use of our traders around the islands who might be in Apia on business.

Q. To whom did the property in the cottage belong?—A. To me.

Q. Did the wearing apparel and gold rings belong to you?—A. I paid for them and gave them to a woman friend who left them in the cottage.

Q. Do you know who did the damage to the cottage?—A. I am certain it was the natives known as "friendlies" because the Mataafa people were never there.

Q. When, before the war, were you at this place?—A. The morning of the first bombardment.

Q. Were all the articles you have listed there at that time?—A. Yes; and the house was locked up when I left it.

Q. When were you there again?—A. About May 6 or 7, 1899.

Q. What did you see then?—A. The veranda posts and windows glasses were smashed, locks broken, and the entire contents of the cottage removed.

Q. What boats and lighter are those on your list?—A. The lighter was of about 7 tons capacity, about 2 years old.

Q. What damage was done to it?—A. It was blown ashore near my house and I asked permission to take it out and anchor it again, but no notice was taken of this. It was carried out again by the waves and thrown upon the beach near the London mission. There it was battered by the sea and sand for a month. The planks were split by the action of the sun and sea.

Q. What other boats of yours, if any, were damaged?—A. I do not remember.

Q. Was your store closed all of the time during the war?—A. Yes.

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Q. What about the item of copra which you sold at a loss?—A. The vessel arrived with the copra, and I asked premission in writing from Admiral Kautz to store this copra, and received no reply. I was therefore compelled to sell it at a loss to Grevsmuhl & Co., and they were allowed to handle it. Do not remember what I sold it for.

Q. How do you estimate the loss of $100?—A. I sold it for that much less than I could have obtained for it if I had shipped it myself. It was lying in a chartered vessel and the owner demanded that I should take it out. Being unable to do so myself I had to sell it on the best terms I could get.

Q. Were all of your stores on this island closed during the war?—A. All of them except that at Aleipata were closed as soon as the war started. That one was kept open for a week or 10 days but finally obliged to close because we could send the trader no supplies.

Q. Were all of these stores supplied from your Apia store?—A. Yes; and provisions were the principal items in their stock.

Q. Why were these outside stores closed?—A. Because the traders were afraid to stay in the stores because of the natives, who were hostile to white men because of the fighting.

Q. Where are Leone, Pago Pago, and Manua at which you had stores?—A. The two first are on the island of Tutuila, and Manua on the island of that name. These were not affected by the war, but the stores closed because we could send no supplies to the traders.

Q. Where is Fasitoo?—A. On the island of Upolu, about 15 miles from Apia.

Q. Where is Aleipata?—A. About 25 miles from Apia.

Q. Where was your Papaloloa plantation?—A. About 2 miles back of Apia, just outside the municipality.

Q. When were you there last before the war?—A. The day before the first bombardment.

Q. Under what arrangement were you working this place?—A. I had a native overseer who lived there and there were nine men working under him. I was raising fruit and cocoa on this place.

Q. How long had you owned this place?—A. Since 1893.

Q. Do you remember how much you paid for it?—A. No; I bought it very cheap, about $25 an acre. It was then all in bush.

Q. How many acres were there?—A. Sixty.

Q. Was it all cleared?—A. Yes; all in cultivation.

Q. How many acres of cocoa?—A. About 45.

Q. What was on the balance?—A. The rest was in pasturage. Let me explain that in about 25 acres of cocoa were planted bananas and pineapples.

Q. How many cocoa trees did you have per acre?—A. About 120. They were 18 feet apart.

Q. How far apart were the bananas?—A. About 12 feet apart.

Q. How far apart were the pineapples?—A. About 2½ feet apart.

Q. What proportion of this 25 acres were in bananas and what in pineapples?—A. There were about 8 acres in pineapples and the balance in bananas.

Q. How old were the cocoa trees on these 25 acres?—A. From a year and a half to 3 years old. The exact proportion I could not state.

Q. How old were the cocoa trees on the other 20 acres you had in cocoa?—A. Four or five years old I think, but am not sure.

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Q. Were you at this time getting cocoa off these trees?—A. I think a little.

Q. Were you getting bananas and pineapples from this place?—A. Yes; I was shipping this fruit to New Zealand, and sometimes we made good profit, sometimes losses, but generally we made profits.

Q. How long did you continue these shipments?—A. About three years, or perhaps two years.

Q. Is there any fruit exported from here now?—A. No. The steamer service is not good enough.

Q. Was the steamer service between here and New Zealand and Australia better in 1899 than now?—A. No; it is much better now, in that better steamers call and more of them, but there was then faster service between here and Auckland by the Spreckles Line. This made it possible to ship fruit. This line is now entirely discontinued.

Q. When were you up on your plantation first after the war?—A. On May 6, the day I was released.

Q. What did you find there with respect to your live stock?—A. All of my stock had been taken. The "friendly" natives were there in numbers, carrying off the bananas. They stayed there for two weeks after that.

Q. Did you ever recover any of this live stock?—A. Only the bull, which I found on an adjoining place, wounded, and we had to kill him and sell the meat. I have charged for the difference between what I got for the meat and the cost of the bull.

Q. What did the bull cost you?—A. I think $125, in Auckland.

Q. Where did you buy the other live stock?—A. It was all imported or bred on the place. All the pigs, chickens, ducks, and turkeys were imported.

Q. Were any of the tools remaining on the place when you got there?—A. Either gone or broke so as to be valueless.

Q. How do you estimate this item of damage to fencing?—A. That is principally for the posts; the wiring was left on the ground and reused.

Q. Do you know who did all this damage?—A. Probably done by natives of both sides, as the place was sometimes in the possession of one side and sometimes in the other. There was fighting on the place at different times.

Q. How much ground did the vegetable garden cover?—A. About 1 acre.

Q. What were you raising there?—A. Cabbage, kohlrabis, beans, tomatoes, cucumbers, eggplants, etc. There had been $40 or $50 worth of guano used on this garden.

Q. Are you charging for these various articles what they cost you?—A. What they would have sold for at that time.

Q. Do you know how many bunches of bananas you got from this place per month, just before the war?—A. Do not remember now.

Q. Do you remember the price per bunch?—A. No.

Q. I see you are charging for certain bunches of bananas and certain cases of bananas. How is that?—A. Each banana bunch has a certain number of so-called "hands," containing about a dozen bananas each, and if they were less than eight hands on the bunch, the "hands" were detached, and the bananas packed in cases.

Q. How could you tell how many of the bunches would have this number of "hands?"—A. We had been growing bananas so long

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that we could easily calculate. The proportions would vary with the weather.

Q. How did you estimate the number of pineapples lost?—A. From previous exportations and experience.

Q. What proportion of your cocoa trees were destroyed?—A. I can not tell now, but they were destroyed in patches here and there. I paid John Richardson to go there and count the number of trees destroyed. The trees were small and could be pulled up by hand up to the age of 2 years. Those older, which were destroyed, were cut by axes. The item of $22 is what I paid for counting them.

Q. How do you explain this item of $200 for loss by closing of the Tivoli Hotel?—A. I think that was for loss after I was released. Partsch, who had been my partner, refused to go on with the business after the war, and I had to get the house fixed up so it could be opened. The charge is for loss of business during that time.

Q. Then the date is wrong (June 30)?—A. Yes.

Q. How long a period elapsed between the end of the war and the opening of the hotel?—A. I do not know.

Q. These items of fencing, tank, etc., on page 5 of your list are all for damages at the Tivoli Hotel?—A. Yes.

Q. How about this statement on page 7 for losses at the hotel?—A. That is a statement of losses made up by G. W. Partsch, who was a partner of mine in the running of the hotel at the beginning of the war.

Q. Were you partners in the ownership of these articles charged for on page 7?—A. Yes.

Q. And you are claiming for one-half of this amount?—A. Yes.

Q. How far from Apia was your store in Manua?—A. One hundred and fifty miles.

Q. And the one at Pago Pago?—A. Eighty-five miles.

Q. At Leone?—A. Seventy-five miles.

Q. How often were you in the habit, before the war, of sending supplies to each of these stores?—A. About every two weeks.

Q. What interruption was made in that custom by the war?—A. I was unable to send supplies for over two months.

Q. During that period did you receive any copra from the stations?—A. I am unable to say; do not think so.

Q. After the war did you receive what had accumulated at these stores in the way of copra?—A. Yes; but they had not been able to accumulate much because of the lack of supplies.

Q. What became of the usual supply during this period?—A. I suppose it was sold to other people who were in business.

Q. Then the business of other merchants with outlying stations was not interrupted by the war?—A. Not to the extent that mine was. The German firm, which was my chief competitor, proceeded with its business during the war.

Q. Did you own the Tivoli Hotel building during the war?—A. Yes.

Q. Did you own everything in the building except what is claimed for jointly by Mr. Partsch and yourself?—A. Yes.

Q. What arrangement did you have with Mr. Partsch in this hotel?—A. He supplied certain furniture, crockery, tableware, silverware, cutlery, etc. The supplies, liquors, and provisions were bought by us jointly. I also supplied certain furniture and fittings, and what we each supplied were put into a joint account—that is, each of us owned a half interest in the whole of these articles.

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I want to say that when I went to this hotel after the war it had evidently been left wide open for some time. The roof was full of bullet holes, the rain had come into the building, the paint and wall-paper had been all destroyed, the house was full of leaves and dust which had blown in. Most of the locks had been broken off, apparently by hammers. One of the lower panels of the veranda had been blown away apparently by a cannon shot. The back fence had been taken away and used for flooring for the huts occupied by the soldiers. I saw the soldiers doing this from my veranda, and I saw them doing the same thing to the Tivoli wharf right in front of the hotel. The Tivoli store, which I owned and which stood opposite the hotel, had been riddled with bullets from a machine gun.

I want to amend my statement as to the amount of land I had in bananas and pineapples. I had 30 acres of bananas interplanted with young cocoa, and the pineapples were by themselves.

The charge of $250 for putting the plantation in order was an underestimate.

I can not say now how to explain the charge of $200 for the closing of the Tivoli Hotel.

The billiard table was a large English one.

S. H. FORSELL:

Q. Where did you live in March, 1899?—A. In a cottage of Mr. H. J. Moors in Apia.

Q. Were you then in his employ?—A. Yes.

Q. Do you remember the war of that month?—A. Yes.

Q. Where were you at the time of the first bombardment?—A. On the road to Mr. Moors's plantation at Papaloloa. I was on my way to look after the property of Mr. Moors.

Q. I show you this paper, Exhibit A, and ask you, if, when you arrived at Papaloloa on this day, the property therein enumerated on pages 2 and 3 was then on this plantation?—A. I remember milking two cows on the place, and know there were other cows there. I remember the bull; there were calves there, but how many I do not remember. The imported boar was killed while I was there by some of the natives. There were a number of large and small pigs there, fenced in a paddock. I saw a number of sheep there, but do not know how many. There were a lot of fowls, some of which were killed by the Mataafans when I was there. I do not remember about any turkeys. There were some pigeons there. There was quite a plantation of bananas there, from which cartloads used to be sent to the store. There were pineapples planted there, but I can not tell how many. The shotgun was stolen while I was there, and the water tanks were chopped off, and one was shot through. While I was there no damage was done to the cocoa trees. A few bullets were shot into the buildings and a few windows smashed.

Q. Do you remember about the tools which were there, if any?—A. There were a number of pickaxes, hoes, spades, and other plantation tools; do not remember the spraying machine.

Q. How long were you on the place upon this occasion?—A. Fourteen days.

Q. Were there natives around the place then?—A. The Mataafa forces were in the neighborhood and occasionally came to the place.

Q. Where did you go after these 14 days?—A. I was ordered back to Apia by an American officer.

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Q. What reason did he give for this?—A. He accused me of carrying letters from Mr. Moors to the Mataafans, and told me he would treat me as a rebel if I stayed there longer.

Q. Where did you stay during the remainder of the war?—A. With Mr. Moors, in his house in Apia.

Q. Was Mr. Moors under guard at that time?—A. Yes; we were both under guard.

Q. Were you allowed to leave these premises?—A. Not without a guard.

Q. When did you next see Papaloloa?—A. Sometime after the armistice was declared I was up to the houses with Mr. Moors. This was about May 6 to May 10.

Q. What did you see on the plantation then?—A. All of the tools, such as spades and rakes, were gone. All of the live stock was gone.

Q. Did you see anything else in the way of damages?—A. No. I did not go over the plantation, but I remember that the fences were down, some of the wire was on the ground, and some had been taken away.

Q. Do you know anything about a vegetable garden which was there?—A. There was one there, but I do not know how much it covered. That had all been trampled down and ruined when I visited the place after the war.

Q. Do you remember anything about the damage to a lighter on the beach?—A. I think one drifted away during the war.

Q. How about a fence at the back of the house of Mr. Moors?—A. It was taken down while I was staying with Mr. Moors.

Q. What do you know about damages to the Tivoli Hotel during the war?—A. As soon as we were at liberty I took a gang of laborers to the hotel. The floor in the barroom was ripped open. Most of the window glasses were smashed. Some of the doors were wrenched off their hinges. The mats and rugs were spoiled by wind and rain. A great deal of the furniture was missing. All of the stock of liquors was gone. I was working there with a number of helpers for several weeks cleaning up the place and helping the carpenters who were making repairs. There was a great deal of litter, broken glasses, etc., all around. We were putting together pieces of bedsteads. The fence was down, and the yard was all littered up. The pump was broken and the hose gone. The work that we did was caused by the damage which had been done by the sailors. That is about all I recall, except that there were no chairs in the hotel we could use.

Q. Did you see any explosives placed under the office of Mr. Moors, next the house, during the war?—A. I saw a petard placed under this place on a number of nights by sailors from the British ships.

Q. Is there anything else you care to say?—A. On one occasion I was awakened at midnight by the guard and taken to the guardhouse and questioned about whether we had communicated with anyone outside the place. On another occasion a British officer with a guard came and ordered me to open the copra shed, as he thought some Mataafans were concealed there. We went down and opened the house. On other occasions I was called to the guardhouse and questioned to know if any natives were concealed on the place. Once or twice the servants were taken away at night by the guards.

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JAMES FROST:

Q. Where did you live in March, 1899?—A. In Fasitoo, next to Mr. H. J. Moors's store.

Q. What, if anything, happened at his store of an unusual nature during that month?—A. The Samoans I saw taking provisions out of the store. There was a good lot of them.

Q. Do you know whether or not they were buying this stuff?—A. No; they were running in and helping themselves and then running away.

Q. Where were you at the time?—A. On the veranda of my house, about 70 feet from the store.

Q. How long did this looting keep up?—A. About an hour, I should say.

Q. Did you know who these people were?—A. No; I know some of them were from Savaii, but did not know their names.

JOHN RICHARDSON:

Q. Where did you live in March, 1899?—A. On my place, Ulaloloa, island of Upolu.

Q. What do you know about the claim of H. J. Moors against the United States growing out of the Samoan war of 1899?—A. I was employed by Mr. Moors during the first days of May, 1899, as overseer on his plantation of Papaloloa.

Q. Did you go out to the plantation of Mr. Moors to reside at that time?—A. Yes.

Q. What was the condition of the plantation then?—A. Many of the cocoa trees were uprooted, lying upon the ground; others were cut down and some burned.

Q. Are you able to state how many of these trees there were?—A. There were trees of three different ages, 1, 2, and 3 years old. Of the 3-year old trees about 100 were destroyed or uprooted, and of the 1 and 2 year old trees between three and four hundred each. That is as near as I can remember.

Q. Do you know who did this damage?—A. No; it was done before I got there.

Q. Had you been engaged in raising cocoa before this time?—A. For 12 months on my own plantation.

Q. Were you then familiar with the value of cocoa trees at this time?—A. Yes.

Q. What, in your opinion, was the value of 1-year old cocoa trees at this time and of 2 and 3 year old cocoa trees?—A. $1 each for the 1-year old; 2-year old, $2 each; 3-year old, $3 each.

Q. How long after planting does a cocoa tree bear?—A. Not into successful bearing before 6 or 7 years old.

Q. Do you know what is the average life of a tree in bearing?—A. I do not think anybody here has had sufficient experience to tell.

Q. What is the amount of cocoa obtained per year, on the average, from a cocoa tree 6 or 7 years old?—A. Four or five pounds of cocoa.

Q. When is a tree at its best in bearing?—A. At 10 or 12 years old.

Q. What is the weight of cocoa obtained on the average, from a tree of this age?—A. About 8 pounds.

Q. Was any cocoa being sold here in 1899?—A. Very little. The German firm was selling some pods for planting.

Q. At what price?—A. About 25 cents for five pods.

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Q. Did you make at the time a count of the trees of Mr. Moors which were destroyed?—A. Yes.

Q. Could the trees which were uprooted be put back in the soil again so as to grow?—A. Not one out of a hundred would have grown if they had been put back immediately. They are very difficult to transplant. When I got to the plantation the trees were dry—had been out of the soil some time.

Q. Did you see evidence of other damage to the plantation?—A. While I was on the plantation I saw the Malietoa people take large quantities of bananas from the plantation and some few coconuts. Then all the fences on the plantation were all lying on the ground, the tanks were all chopped open, the plantation was all overgrown with weeds, some the height of a man. The vegetable garden was destroyed.

Q. Was the wire of the fencing on the ground?—A. Know some of it was; probably most.

WILLIAM WALLWORK:

Q. What was your business in March, 1899?—A. I was trader for H. J. Moors at Fasitoo, selling goods in his store and buying copra for him, both on commission.

Q. What happened of an unusual nature, at that store, during that time, if anything?—A. A short time after the bombardment, the natives, as many as could get into the place, came into the store and took all the kegs of beef and biscuit which were in front of the counter, took the cloths for lavalavas which hung on wires across the store, took a bugle and a lot of stuff from the shelves, could not tell exactly how much, as my wife and I were crowded out and did not dare speak. I could not tell what was taken as there were so many people there and they took whatever they felt like taking. They were stopped from taking anything more by an old chief named Sua.

Q. Did you make up a list of what was taken?—A. No; I could not make up any list at that time, for I did not know what was taken. Afterwards I made up a list of what I thought was taken.

Q. How long afterwards was it, when you made up this list?—A. After the war was over.

Q. Did they take the greater part of what was in the store?—A. Yes.

Q. Do you know about what was the value of the stock you were accustomed to carry at that time?—A. Might have been $3,000 worth.

Q. Had there been any men of war shelling in that neighborhood before this happened?—A. Yes; they had thrown shells right over the house.

Q. How long was it before the chief stopped the pillaging, as you have stated?—A. He lived right near and came over in a few minutes after the looting began and stopped it.

Q. Did he make the looters give up what they had in their hands at the time?—A. No; he did not have that much power, but he stopped them from taking anything more and stayed about the place for some time afterwards.

Q. After you went back to Fasitoo, following the war, did you return to Apia and make out a list of the property you have mentioned and swear to it?—A. Yes; before Mr. Denvers.

Q. Did you know the people who did this looting?—A. No; I could not tell; their faces were all painted with lampblack.

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H. J. Moors, Claimant's Exhibit A.

J. R. B., vice consul, U. S. A.

Printed form affidavit, H. J. Moors, resident municipality Apia, for 24 years, is citizen of Republic of America, a trader, owner in fee in Apia. Sworn to July 17, 1899.

Statement of claim of H. J. Moors.

Matautu cottage:		
Broken open, material carried off, 1 mirror	$2.50	
2 lamps, $1; 1 water jug, $1; 6 glasses, 75 cents	2.75	
1 table cover, $2.50; 4 bed mats, $10	12.50	
1 bed cover, $2.50; 2 chairs, $4.50	7.00	
1 dozen plates, $2; 6 teacups and saucers, $1	3.00	
1 kauri box, containing wearing apparel	15.00	
3 gold rings, contained in above box	9.00	
1 mosquito curtain, $2.50; 2 sheets, $1.50	4.00	
Hair comb and brush, $1; washbasin and jug, $2.25	3.25	
		$59.00
Steps broken, fence smashed, locks broken; cost of repairs putting in order		6.00
Store premises:		
Boats and lighter adrift during bad weather in March, thrown up on the beach near the mission; not allowed to go and float them off and protect them from the sun. They were beaten by the heavy surf for weeks and burned up by the sun. They were repaired twice to put them to rights; but they were permanently injured and will never be as good as they were. Damage and repairs		200.00
Galvanized-iron fence ordered to be pulled down by Lieut. Miller, of the *Philadelphia;* material carried away to make roofs for sailors' huts; part of it recovered and fences reerected. Cost of labor, material, and putting up fences again		30.00
140 pounds hams spoiled; closed up in hot store; not allowed to open and sell them; in fact, not allowed even to speak to anyone without special permission		28.00
72 pounds cheese spoiled		14.40
1 dozen 6-pound meats and 3 dozen 2-pound meats blown		12.50
1 case pigs feet spoiled, $9		9.00
Loss of $5 per ton on 20 tons copra coming in from Aliepata; compelled to sell it disadvantageously, because I was not allowed to receive it into my own sheds for reshipment per steamer to Sydney		100.00
Store closed down from Mar. 15 till May 1; in consequence all of my outlying stores—namely, Aliepata, Leone, Pago Pago, Manua, Fasitoo—were practically closed, as they could get no supplies; business averaging about 10,000 dollars per month; profits, about 20 per cent		3,000.00
Papalaloa plantation:		
About 2 miles of wire fencing pulled down; cost of getting new posts and reerecting fence; part of this work had to be done several times, as the reputed friendlies cut the wires and pulled the fence down a number of times after May 5. Labor and material		120.00
Tools destroyed and carried away: About 10 axes, 24 knives, 10 spades, 10 hoes, carpenter's tools, grindstone, iron corn sheller, corn mill, patent spraying apparatus, 6 galvanized buckets, 2 wheelbarrows, 500 feet lumber, nails, staples, scythes, wire stretcher, rakes, etc		160.00
Vegetable garden in full bearing, very carefully planted and manured with guano heavily. Very necessary for the household and for the Tivoli Hotel		100.00
7 red and white cows, valued at $50		350.00
1 white milking cow, Jersey		60.00
2 white and red milking cows		120.00
3 fine calves, the lot		30.00
1 fine bull, 700 pounds, about		75.00
1 fine imported boar, about 300 pounds		35.00
10 sows, at $18 each		180.00
6 smaller sows, at $12.50		75.00
20 small pigs, all sizes, $2.50		50.00
13 imported sheep, had been offered $7.50 each for them		97.50
200 chickens, about, many being of imported breeds		200.00

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Papalaloa plantation—Continued.

6 imported Mammoth Bronze wing turkeys		$24.00
Lot pigeons, about 25, say		5.00
		1,201.50
Lost about 450 bunches bananas per month from Mar. 15 until July 15. All that were on the place were carried away or used up, and the friendlies were allowed to continue taking them until long after the commission came to Samoa. The very first lot of fruit I was able to export was on July 8, when I sent away a very few. The place got so full of weeds and overgrown that it will not be in real good bearing order for several months to come. My former good men being all scattered and away, I am having great difficulty in getting the place even in very tolerable shape again. I consider I have lost about 1,800 bunches, worth to me 37½ cents per bunch, as I export them to Auckland, and during the past months the price has been exceedingly high, owing to hurricanes in Queensland, making a scarcity in the colonial markets		650.00
75 cases bananas per month for 4 months, at $1		450.00
100 cases pines per month for 4 months, at $1.50		600.00
1½ dozen ornamental and fruit trees (imported) pulled up and mutilated, say, $2 each for 12 and $3 for 6		42.00
Fine double-barrelled shotgun, with game bag and brass cartridges carried away		50.00
Increased cost of putting the place in order owing to its overgrown condition, and owing also to the scattering of my regular plantation hands, most of whom have never turned up since		250.00
Cacao plantation damage. Very many of the trees were pulled out of the ground altogether; others were chopped off close to the ground; and some were broken down and spoiled by those who felled the bananas on top of them; a few were killed by weeds for want of care and by the sun because the banana shade had been cut away by banana thieves:		
330 cacao trees, 1 year old	$330.00	
317 cacao trees, 2 years old	634.00	
89 cacao trees, 3 years old and over	267.00	
	1,231.00	
Cost of counting and getting statement	22.00	
		1,253.00
Tivoli Hotel closed from May 5 (when I had notice from Partsh that he could not proceed with it) until June 30, when after a great deal of labor we had it partially cleaned up and ready for the reception of guests. Loss by this reason		200.00
Board fence (new) 6 feet high and 30 feet long pulled down and carried away by sailors for flooring for their huts. Cost to replace		25.00
Lumber of Tivoli wharf carried away for similar use, about 750 feet, at 4 cents		30.00
Tank shot through. Cost of repairs	$3.00	
Cost of carrying water and pumping in consequence of there being no water	10.00	
		13.00
Part of lower veranda carried away by cannon shot. Cost of replacing and painting		12.00
Building penetrated in very many places with bullet holes, chopped with axes by the sailors. Damage and repairs		50.00
Large mirror, worth $200, split by bullet		50.00
Billiard cloth cut by bullets; cost of new one to replace, $45; old one worth, say, $5		40.00
4 large Venetian screens carried away, and when subsequently found they were quite useless; value		40.00
Damage to pumping apparatus, twice repaired since the war, and still of little utility		25.00
Cost of cleaning up the house (which appeared a perfect wreck), repainting the inside, varnishing, plugging shot holes, windows and sundry leaks made by shot holes in the roof. Material and labor		225.00
		9,305.40

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Goods carried away from Fasotoo Station, as per statement of W. Wallwork, trader at that place, who is carrying on my business there	$207.50
Damage to building and fence	21.10
	9,534.00

Cost of 1 acre of cacao planted and kept in order for 1 year, exclusive of the original cost of the land itself:

Cost, say, per acre, $50 valued by owner at	$75
Cost at 2 years, $100; real selling value	150
Cost at 3 years, $150; real selling value	250
Cost at 4 years, $180; real selling value	325
Cost at 5 years, $210; real selling value	400
Cost at 6 years, $225; real selling value	500

Cacao at 4 years nearly pays its own upkeep and at 5 years a good profitable crop may be expected.

Cacao over 6 years pays according to circumstances of culture, and weather and price from $60 to $125 net per acre per annum. Papaloloa cacao was planted about 120 trees to the acre and if the well-kept acre was worth for culture $75 at the end of the year it then follows that the individual trees were worth 60 cents each. The 2-year old cacao $1.20 and the 3-year old $2. In accordance with this calculation which I submit as being approximately correct, I amend my cacao claim and render as follows:

330 trees, 1 year old, at 60 cents	$198.00
317 trees, 2 years old, at $1.20	380.40
89 trees, 3 years old, at $2	178.00
	756.40

H. J. Moors, Claimant, Exhibit B.

J. R. B., vice consul, U. S. A.

CLAIM OF H. J. MOORS.—PERSONAL INJURIES AND DAMAGES.

For injuries and damages sustained through and by reason of being kept and confined a prisoner in his own house and premises in the town of Apia, Samoa, by virtue of the orders and directions of the naval and military forces landed from the British warships *Porpoise*, Capt. Sturdee, commander, and the *Royalist*, Capt. Stuart, commander, and from the U. S. warship *Philadelphia*, under the command directly of Capt. White and more directly under that of Admiral Kautz; the claimant being held in durance without legal process or any process whatever, save the illegal and unwarranted orders of said naval authorities, and being so confined, held, and detained, to his said house and premises without trial, examination or charge of any wrongdoing on his part, and without cause, reason, or right; the said claimant being so held and confined from the 17th day of March, 1899, or thereabouts, until the 5th day of May, 1899, or thereabouts, during said time being allowed to communicate with no person or persons whatever, save those living with and constituting his own family; and said claimant was during said period permitted to communicate with and hold intercourse with no person or persons whatsoever, save those before indicated, and was denied the right to hold communication with the consul general of the United States, resident in said Apia, Luther W. Osborn, Esq., his, the claimant's, consul, the claimant being a native born and loyal citizen of the United States of America, resident and engaged in business for many years in said Apia; and said claimant frequently during said period being directly arrested by the armed forces aforesaid acting illegally and under the authority and direction of the said Admiral Kautz and the naval authorities acting with him, in waging and maintaining a state of open and notorious warfare and martial law in Apia and such parts of the island of Upolu as was held in their military possession and occupation, and said claimant with his wife, family, and children being compelled to leave and abandon his house and home, and being conducted under armed guards out into the open roadway and there held standing for a great length of time in the open and hot sun, and not permitted to sit down when exhausted with standing; and said claimant was suffered to speak to no one of his friends and neighbors when they passed his house to which he was confined, nor were any permitted to speak to him; and armed guards being posted around and about his house

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day and night maintaining an outrageous and illegal guard and watch over him and his premises, with orders to shoot him in the event he failed to obey or disregarded any of the outrageous and illegal directions of the armed guard so set about him; and said claimant being all the time treated and held as a person of ill repute and treated and served as if he were a notorious and depraved criminal and so made to suffer and be drawn into odium and contempt; and said claimant's warehouse and copra shed situated but 30 feet or thereabout from his store and dwelling in which claimant and his family lived and slept and to which they were illegally held and confined, was nightly or at least very frequently undermined with torpedoes, explosives, and bombs, connected by electric wires leading to the military headquarters, controlled by and under the command of the particular officer in command of said forces, and more particularly and especially and generally of one Lieut. Cave, of the said warship *Porpoise*, said wires, explosives, and bombs being so laid and placed that his said warehouse and storehouse and residence could at any moment, by the mere touching of a button, be blown into the air, with the result of killing and destroying the claimant, his wife, family, and children, being girls little past infancy; and said claimant and his family as aforesaid were thus compelled night after night to stay, remain, and sleep in their said residence to which claimant was so confined, liable and in danger of being annihilated and blown into atoms should any chance, real, or false alarm of attack have caused said bombs and mines to be exploded, or from the accidental explosion of the same, all of which caused the claimant and his family to suffer and endure great agony, sufferings, and torture in their fear and dread of being so killed and destroyed; and during said period the claimant was frequently shamefully insulted, browbeaten, and abused and humiliated by subaltern officers acting under the authority and direction of the naval commanders aforesaid, all the time the claimant not being allowed for any reason or at any time to leave his house and premises, save when under orders and arrest he was compelled to leave at the command of the guards aforesaid, no friend or other person being suffered or permitted to enter his premises, and all the time the claimant not being suffered or permitted to attend to his business and ordinary affairs of life, all of which, in consequence, fell into great disorder and confusion: and all this was without any examination or trial or investigation of any sort or kind whatsoever, and without the communication to him or information of any kind whatsoever as to why he was so imprisoned, mistreated, injured, and abused, and all of said acts so done to and against him were without cause, reason, or justice, and were illegal, arbitrary, cruel, and inhuman, and were unprovoked on his part, and he was permitted no opportunity to vindicate himself from any charges or accusations, if any there were, which prompted or afforded excuse or pretext for the infliction of said wrongs and injuries, as he could easily have so relieved himself of any such charges or suspicions, if any there were, for he had been guilty of no illegal act and of no hostile act or things whatsoever, by all of which said wrongs, sufferings, humiliations, injuries, outrages he has suffered and sustained injury to the amount and extent of $20,000.

H. J. MOORS, CLAIMANT, EXHIBIT C.

J. R. B., Vice Consul, U. S. A.

Statement of loss at Tivoli Hotel during the late war in Samoa. G. W. Partsch & H. J. Moors, proprietors.

House closed 6 weeks, business, of course, suspended		$450.00
Liquors and cigars carried away and items destroyed:		
2 cases beer, $11; 500 cigars, $25	$36.00	
Glasses and water bottles, dice boxes, etc	8.50	
Clock smashed, $1.50; 4 pictures ruined, $25	26.50	
Patent cork puller broken	4.50	
Nickel-in-slot machine shot to pieces	18.00	
Common cork screws and bar towels gone	5.00	
Liquors on bar gone or spilled (unable to itemize), say	45.00	
		140.50
Kitchen utensils carried away:		
Boilers, pots, fry and sauce pans	16.00	
Enameled ware, dishes, sausage machine	10.50	
Stove broken	2.00	
		41.50

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Dining room:		
8 dozen knives, worth $6 per dozen	$48.00	
8 dozen plated forks, $4 per dozen	32.00	
Dishes, cups and saucers, plates, mugs, and many sundries impossible to itemize, say	60.00	
Pictures and curios which decorated the walls, carried off and broken by shots, say	25.00	
		$165.00
Upstairs:		
4 mattresses, hair, at $15	60.00	
5 mosquito screens, $3.50	17.50	
Water jugs, glasses, basins, lamps, and other sundries broken by shot which passed through the house from side to side, or carried away, say	30.00	
Sheets, pillows, blankets, etc., carried away	25.00	
		132.50
Table linen, napkins, etc., impossible to itemize		42.00
New matting covering dining room and bed rooms torn up and rendered useless, now all replaced with new stuff. Loss about		75.00
		1,046.50

[From records Apia consulate. J. R. B.]

[Despatch No. 77. Inclosure No. 34.]

APIA, SAMOA, *January 3, 1899.*

JUDGE OSBORN.

DEAR SIR: I have been up most of the night, trying to save property in different quarters. As soon as I had left a place, after driving off a band of marauders, another party would appear and complete the work.

We are not half at the end of this affair, for according to native customs what they can not carry off now waste.

Unless something is done quickly, I expect to see every banana plant, breadfruit tree, and coconut cut down and every house burned as soon as the invaders have no more use for them.

The church in Apia has just been pillaged and several of the women leaving there have been robbed of most of their clothes on the street.

As I view matters, the only way to stop such proceedings is to recognize Mataafa at once and tell him that you hold him responsible. Without Tutuila being counted he has with him to-day fully 85 per cent of the Samoan people.

It is not necessary for the honor or dignity of the powers to support a rotten decision and annihilate a race in so doing.

The very early departure of Judge Chambers from Samoa would serve all interests and his own. His sun is set in these islands. It is not the opposition of good people that he has to contend against. If he had the power, he might contend against that. It is the dangerous lack of support that will meet him on every side. No one will pay attention to his commands; or, if they do, they will pay so much as to comply with the mere form of his order.

Mataafa has no reason to love him, and he is too honest a man to ever conceal his poor opinion of him. While I write this I find the chiefs from Mulinuu doing what they can to drive out the pillaging party. They will succeed, perhaps, in getting those off the beach, but in the back all the plantations will be destroyed and a famine will set in and last for months to come.

Early action in the direction I have indicated is, I think, the best thing that can be done. And then, if possible, I am sure Mataafa will undertake to withdraw most of the people from Apia and its vicinity.

I think the warship should take a few Mataafa chiefs on board and steam out into deep water and there throw away all guns and ammunition they have belonging to the vanquished party, which is looked upon as lawful loot by the victors. I have personally done all I could to save property. I have not egged on this war, but have not tried to stop it, being in full sympathy with the victors. I could do much for the general good, but as I am so subject to misrepresentation that I fear greatly to take any prominent part. If matters are not now given some proper direction, they are likely to assume a much worse aspect. Mataafa, if recognized, should have some good white man at his side most of the time until matters are better. I should think the president would answer all purposes. I have very considerable interests in and out of Apia. I have now on my premises not less than 50 weeping women and children with their little belongings. The case is urgent.

Kindly consider it quickly.

Very truly, yours,

H. J. MOORS.

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[From records Apia Consulate. J. R. B.]

[Dispatch No. 77. Inclosure No. 35.]

APIA, SAMOA, *Friday, January 7, 1899.*

JUDGE OSBORN,
United States Consulate.

DEAR SIR: I was at Mulinuu until a late hour last night and found on my arrival there that it was the intention to transport every prisoner under guard to Manono and there detain them indefinitely. It was also the idea to occupy Apia for a considerable time and to place here the most orderly of Mataafas people, Mr. Marquart being employed to take charge of a strong force of guards.

In reference to your wishes, and to some extent against my own judgment, I have advocated a course which I hope will meet with your approval, as I am sure it would if you viewed the situation as I do.

I believe it is the idea that the provisional government, set up, should command peace, and restore things as nearly as possible to their normal condition as soon as possible; but I do not believe you would have to do this without first taking such precautionary measures as would insure us from a recurrence of the late disorders.

It is the opinion of many people that if the provisional government were to let loose here in Apia a number of persons whom it believes it could not bind by any oath or promise, that they will conspire against it again; that they will be advised to do so by the late chief justice, by Gurr, and other white men ashore here now.

The provincial government can not count on the good will of either the British consul or the captain of the *Porpoise*; in fact, their unfriendly feeling is manifest at every point.

The provincial government will be held responsible for a lot for everything from this forth, in fact. What time will it have to work benefits which it really has in view if at every stage it must fight for its existence, its very life?

It appears to me that it is not sufficient that the consuls simply acknowledge that it is here with us; for that is very little. I think that they should manifest a friendly spirit toward it as openly as possible, to correct false impressions which are going about. I also think that the consuls should not bicker foolishly with it, for such matters tend to lower its influence, which should be fully sustained until such time as its ultimate fate is determined by higher authority than exist here at present.

Last evening you doubted my affirmation that the late chief justice was in correspondence with the prisoners, and had endeavored to hold out hopes of success to them, counseling them not to despond, for he believed that the powers would sustain his decision and so make them the rulers of Samoa. I think that Dr. Raffel will show you this letter to-day. The provisional government can not with safety to itself liberate some of those men now in its charge. Against its own good judgment and in deference to your wishes, nearly all of the prisoners will be set free to-day after they have performed the ceremony of submission customary to Samoans. Those who will still be detained will be sent to distant points in this group, and kindly treated, and liberated as soon as the state of the country will permit such measures. I may say that Dr. Raffel has these matters in hand and that all of the detail will be carried out in the kindliest possible spirit.

The restoration of order in this community is a first consideration, but its steady maintenance is of still more importance.

The supreme court will be officially closed and Mr. Marquart will take charge of all of the records. The people of Apia (except a few) will resume possession of their property, and no doubt soon pursue their ordinary avocations as hitherto. Mataafa and his chiefs are most anxious to maintain the friendly feelings that have always existed between our country and theirs and between yourself personally and them.

Yours, very truly,

H. J. MOORS.

[From records Apia consulate. J. R. B.]

[Extract from consular records regarding the part played by H. J. Moors in the Samoan troubles of 1898 and 1899.]

January 24, 1899, Consul General Osborne wrote the department referring to the troubles just passed and said that Chief Justice Chambers had announced that he would begin the hearing of the kingship contest on December 19, 1898. "The Germans protested and they and Mr. Moore, an American citizen, said that the Mataafa party would not appear and would pay no attention to any rule of the court or order or judgment entered and that the court would be closed by force." The Germans and Mr. Moore proclaimed that if the decision should be adverse to Mataafa it would not be submitted to and that there would be war at once, which proved to

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be true. "In my opinion the natives are not so much to blame as certain white men and but for a few Germans and one American I think a settlement could yet be made."

[Dispatch 77, inclosure 31. Signed by Judge Chambers.]

"German officials openly espoused the defeated faction which, led by General Counsel von Bulow, who had represented them on the trial, encouraged by practically entire German population, and one man claiming to be an American began at once organized armed assault."

(This reference is undoubtedly to Mr. Moors, J. R. B.). General Osborne made the following note on this inclosure: "The statements substantially correct."

[Diary of Mr. Osborne, Mar. 2, 1899.]

"Moors is undoubtedly advising the natives to hold out, as he claims that the decision in the kingship matter is too unjust to be submitted to."

[Letter of Moors to Consul General Heimrod, Apr. 27, 1905.]

"I have been the friend and advisor of Mataafa for years and I knew that he would keep the peace in accordance with the agreement he had made with the consuls and warship captains early in January. In fact, it was my suggestion to Consul General Osborne that brought that temporary agreement into force."

[From records Apia consulate. J. R. B.]

[Dispatch No. 89. Inclosure No. 5.]

BRITISH CONSULATE,
Apia, March 2, 1899.

SIR: I have the honor to inclose copy of a letter received from Commander Sturdee, Royal Navy, regarding the conduct of Mr. H. J. Moors. Taking into consideration the statements contained in this letter, together with a letter sent you by Mr. Moors, of which you have kindly sent me copies, I would earnestly beg you to take such measures as may prevent this individual from further endangering the life and property of the European community in Samoa.

I have the honor to be, sir, your most obedient, humble servant,

ERNEST G. B. MAXSE.

L. W. OSBORNE, Esq.,
United States Consul General, Apia.

[Inclosure No. 6.]

H. M. S. "PORPOISE,"
Apia, Samoa, February 27, 1899.

SIR: I beg to bring before your notice, in order that you may lay it before your United States colleague, the fact that I am creditably informed, that Mr. J. H. Moors, an American citizen, is still actively continuing his agitation with the natives and his advice to the provisional government, and thus encouraging them to acts of aggression. These continued acts of the provisional government will shortly oblige me to take military action to prevent European life and property being endangered.

I beg therefore to request you to ask your colleague to take such measures as may be necessary to stop Mr. J. H. Moors from taking further action until the decision of the treaty powers is known.

I wish to draw your attention to the fact that at Mr. L. W. Osborn's (consul general of the United States) request I took all American citizens under the protection of Her Brittanic Majesty's ships until the arrival of an American man-of-war, and I therefore consider it very desirable and essential for the good of the American community that one of their number should not be allowed to be a danger to the other members of that community and equally so to British subjects.

If military action has to be taken, and I have reason to believe that Mr. Moors is still agitating, I may consider it my duty to forcibly arrest him for the good of Europeans and the general welfare of the natives.

I have the honor to be, sir, your obedient servant,

F. C. D. STURDEE,
Royal Navy.

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[From dispatch book Apia consulate. J. R. B.]

[Diary of Consul General Osborne. Dispatch 77. Inclosure 1.]

H. J. Moors called from 9 to 11 p. m.—called about the release of the 1,000 prisoners at Mulinuu. He insisted that the small men ought to pay a small fine, and that the chiefs who testified on the trial should be deported. I told him that I could not listen to such talk, that they had simply been called as witnesses, and that they were on the side of the law, and their claim had been sustained by the only tribunal provided under the treaty for that purpose; that they were not rebels, as he claimed, and that no severe punishments or indignities must be heaped upon them, at least no party would gain thereby; that, though they might have been beaten, they had lost everything, and that was punishment enough. He finally agreed to go to Mulinuu that night, and that they should be released the next day upon their ifoga. He at least promised to have this done if he could, and claimed that it would be as he said. I told him that these constituted a regular party, that they supposed they had elected their king, that such views had been sustained by the chief justice, and, though beaten, it would not be advisable for the stronger party to be too severe.

[From dispatch book Apia consulate. J. R. B.]

[Copy. No. 89. Marked "Not sent." J. R. B.]

CONSULATE GENERAL UNITED STATES,
Apia, Samoa, March 6, 1899.

Hon. DAVID J. HILL,
Assistant Secretary of State, Washington, D. C.

SIR: I beg to be permitted to state that perhaps it is my duty to again refer to Mr. H. J. Moors, who claims to be an American citizen and to claim American protection. I would not afflict the department with any of his correspondence or with references to him were it not for the fact that I am confident that he is flooding the department, as well as the columns of newspapers, both in the colonies and the United States, with matter deceptive in its character, false in its statements, and intended to create false impressions concerning the acts of officials at this place and as to the real situation in Samoa.

I am advised by an eyewitness that he sent by the last mail a very large letter directly to the honorable Secretary of State, and one of like character to New York City, presumably to his brother-in-law, who is, I believe, Mr. Davenport, who is the cartoonist for the New York Journal, and I doubt not that in these he has represented Chief Justice Chambers and myself, and probably the British consul, as "fossils" and as being guilty of many wrongs, and, in fact, as being responsible for the existing troubles in Samoa. I presume that his principal grievance against me is that I did not at his demand, upon the rendition of the decision in the kingship case, at once issue a proclamation recognizing Mataafa as king, in opposition to the decision of the chief justice. I have at all times treated him with consideration, though he has told me on several occasions that the only man the United States ever sent here that amounted to anything was J. H. Mulligan; that all others had been nonentities.

The British officers here are extremely anxious to make him a guest upon their ships, and in view of the fact that his many letters to the chief justice and to me show him to be openly advising and leading organized resistance to the legally constituted authorities I do not longer feel it to be my duty to interfere should they find lawful reasons for taking him in charge.

As stated in previous dispatches, and as the department knows, he is a vigorous writer. He in his letters openly admits that he is in open rebellion against lawfully constituted authorities, and at the same time has the audacity to attack loyal officials and to attempt to justify himself. I have heretofore sent several letters of his which prove this assertion, and I now beg to transmit as inclosures herein some additional correspondence, which is self-explanatory, though on its face it might appear to have come from an upright and law-abiding citizen. I confess that my letter to him of February 27, being inclosure No. 2, is not of a very dignified character, and I apologize for the same, but in view of the many frivolous things he has said and written about me, because he could not induce me to follow him in his rebellious course, it seemed to be the proper kind of answer.

From the letters of Her Majesty's consul and Capt. Sturdee the opinions of others may be easily ascertained. In fact, I am informed that at a meeting of American and European citizens, held on Thursday evening the 2d instant, the determination to lynch him was almost irresistible. Such is the estimation in which he is held in Apia, and yet he has more influence with the natives than all others combined and is the adviser of the entire Mataafa party and will advise them to resist and hold out to the last man before submitting to the decision of the court.

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I confess that I am not able to state what can be done with him. He professes to be a patriot, to work for the welfare and, in fact, the salvation of Samoa, and at the same time is defending rebellion and slandering and belittling all loyal officers, and was a participant in and still further justified the effort to forcibly remove Chief Justice Chambers, and justified the illegal acts and usurpation of Dr. Raffel.

On the last steamer going to the colonies he openly declared that I would be removed in one month, that Chief Justice Chambers would go in two months, and that the British consul would be transferred in about four months.

All this may be true, but I should dislike to see these things happen at the dictation of a notorious rebel.

I have the honor to be, sir, your obedient servant,

L. W. OSBORN,
Consul General.

[Re H. J. Moors. From records Apia consulate. J. R. B.]

[Despatch No. 89. Inclosure No. 3.]

FEBRUARY 28, 1899.

L. W. OSBORN, Esq.,
United States Consul General to Samoa.

DEAR SIR: I have only just now received your yesterday's date, to which I now have pleasure of replying. On the 26th I addressed you concerning certain acts of the British consul toward the provisional government which seem to me to be calculated to bring on trouble, at a time when all who have the welfare of these islands at heart should bend all their energies toward securing tranquility.

Hoping but hardly believing that you had some influence with the British consul that might by a possibility be used to stay his hand for a short time, at least until we have heard from the powers, I applied to you officially as per yesterday's letter.

Passing over the flippant character of the reply and its mock familiarity, I would say that holding very different views from your good self, I will not undertake to recommend to the provisional government or to any one else the acceptance of your suggestions. This at the risk of losing your good opinion. So far as I am informed the present Government of Samoa was long in existence before the consuls recognized it. It had anointed Mataafa King of Samoa; had been represented before the supreme court and had overthrown that tribunal when it had rendered a mistake and perhaps an illegal decision; it had captured and punished its opponents after defeating them in sanguinary conflict.

It was in real fact a de facto government when the consuls came tardily forward and recognized it and professed to wish it to be strong and effective. In no sense was it an auxiliary of any consular combination, neither at that time nor since, as far as my limited judgment goes. It gathered no strength from consular recognition; on the contrary, since then it has lost some by that connection.

After consular approval, it proceeded, on later days, to banish from Apia certain persons whose presence was considered annoying and disadvantageous to the public peace. It has proceeded to collect certain taxes for its own proper use and to inflict some very light penalties as a small atonement to be made by the defeated party for deceiving the supreme court. It withdrew its forces from the vicinity of Apia, and since that date it has, without any consular aid, maintained the peace of Samoa in every district, notwithstanding what you may hear to the contrary. To carry on its business it has appointed certain officers without whom its affairs would have fallen into confusion.

So far as I know, nothing further has been attempted or is intended until the decision of the powers is reached. I have known of no other government in Samoa since last November, nor by any stretch of imagination can I conceive of any, unless it should appear that two of the consuls consider themselves charged with the internal administration of the affairs of this kingdom. So far as I can see, the consuls have done nothing, nor could they in any case, to preserve the peace. That function has rightfully and solely been in the hands of the natives, whose provisional government has not, so far as I know, acted auxiliary of any other combination whatever. I can not serve in your consulate or in any other consular office which shall in any sense tend to lower the dignity or unjustly reflect upon the present provisional government, which is giving us peace and security, until an ultimate decision is arrived at.

I am sorry that we differ in our views, and I hope that the final decision will find us equally anxious to support it.

Very respectfully, yours,

H. J. MOORS.

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[Re H. J. Moors. From records Apia consulate. J. R. B.].

(Dispatch No. 77. Inclosure No. 36.)

Judge OSBORN,
United States Consul General.

DEAR SIR: I have just seen two proclamations, just issued by yourself and the British consul and one by the late chief justice. I suppose that the president, who holds very different views, will soon be out with his. I hope, sir, that this newspaper war will soon be over, for it can accomplish no good.

Everyone with whom I have conversed believes that no good would come of the reopening the supreme court. I believe both sides wish it closed. Why on earth struggle about the empty honor as to who has done the job? One great mistake is constantly recurring, and that is that the consuls keep considering always the interests of the three treaty powers, forgetting that Samoa is a fourth power and really the one with most at stake, her assent to the compact having been deemed necessary before it was declared complete. This country, as far as I know its sentiments, absolutely repudiates the late chief justice and his decision, and desires his early departure. There can be no circumstances which I can imagine which would bring about such a feeling toward him as would allow his resuming office here.

Whatever the legal aspect of this case may be from any point of view, I hold with the President that practically Samoan people have closed the supreme court and that it can not be reopened and carry with it any of the attributes of a court of justice, unless with the consent or the actual subjugation of the Samoan people.

It is certainly not possible for the present consuls or the Samoan Government to settle the questions now at issue without reference to the three foreign treaty powers. It is obvious that a long time must elapse before a conclusion is reached.

While all may differ on many points, it seems to me that it should be an easy matter to agree that the provisional government should be allowed to maintain the peace of this district until it is superseded lawfully by some other rule. This it can not do if the British consul and his captain are allowed to create needless alarms, and to continue trifling bickerings, the only end in view being to embarrass those who are doing their best to make a difficult situation endurable. It must be plain to everybody that good influences are at work, for most of the invading forces have been withdrawn; not a single prisoner has been harmed; four-fifths of the whole lot have made their submission and have been dismissed. Those who had been considered dangerous to the public peace have been sent to distant points until matters have been finally concluded.

This district has not been devastated according to Samoan customs, and affairs are fast assuming a quiet aspect. I think the president and those who have aided him deserve much credit for it.

I see no occasion for any warlike displays from the British warships, nor any theatrical attempts to protect American interests, which have not been threatened. Such demonstrations as occurred on Saturday settled nothing and they needlessly alarm the whole country. Copy-book oratory may tickle the few onlookers, but the powers will close up these matters upon their merits, I am sure of it.

I have no place in the provisional government, but I have some influence and it will be devoted to the preservation of the peace, unless attempts are made by any of the powers acting separately against these people. In elevating Mataafa they but exercized an inalienable right possessed by all free people the world over.

I am in hearty sympathy with Dr. Raffel and consider him an honest, upright man who is trying to do his duty. I see not the least evidence of any attempts at German supremacy in Samoan affairs, and on the contrary I believe before very long you will find that British designs against Samoan autonomy will become very apparent. These people are past masters in the art of getting their flag insulted, so as to avail themselves of an excuse for taking away the rights of weaker people than themselves. Some day they will meet with their just rewards; I hope that my countrymen will never inadvertently aid them in this nefarious work.

It might be very gratifying for a certain gentleman to have this place called Maxseland instead of Samoa, and for him to wear a certain decoration and reap further distinctions at the cost of the lives of some hundreds of Samoans.

Our concern, I take it, is to look after our trade, and cultivations of our concessions at Pago Pago and to give countenance to no schemes that will bind our country with a power which is fast earning the enmity of these people, as it has that of millions of others.

If these people will have no more of Judge Chambers or his decisions, it is very certain that not one of our statesmen will force them to, when they have the facts before them. If Judge Chambers has made a mistake and so becomes unavailable, there is no reason why the president should not appoint another to fill the place now vacant and only formally occupied by Dr. Raffel. While awaiting final action it appears to me

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that it should be the duty as it ought also to be the pleasure of those in authority to assist the provisional government to maintain its necessary authority.

Forbearance is a virtue little cultivated by our British friends; selfishness and a certain overbearing self-consciousness marks their course through all their transactions.

It is not for me to advise you in anything, for our Government holds you responsible and not me. Consider, then, the views here stated only as expressions of my own opinions, and place whatever value upon them you think they deserve.

Very truly, yours,

H. J. MOORS.

NO. 13. MICHAEL J. SCANLAN.

MICHAEL SCANLAN:

Q. What was your father's name?—A. Michael Scanlan.

Q. Is he the original claimant in this case?—A. Yes.

Q. Is he living or dead?—A. He died in 1909.

Q. What is your mother's name?—A. Penina, a Samoan.

Q. Of what country was your father a citizen?—A. United States.

Q. How did he become an American citizen?—A. Through his father, Jeremiah Scanlan.

Q. Was Jeremiah Scanlan born in the United States?—A. I only know that he was an American citizen.

Q. Was your father's mother of what race?—A. Samoan.

Q. Have you any evidence of the marriage of Jeremiah Scanlan and your grandmother?—A. No.

Q. So far as you know, did your father ever swear allegiance to any other Government than the United States?—A. No.

Q. Did he do anything to cause him to lose his American citizenship, so far as you know?—A. No.

Q. Was your father ever married before he married your mother?—A. He was—to Leigoa.

Q. Is she living or dead?—A. Living.

Q. Were she and your father divorced?—A. They were divorced faa-Samoa.

Q. Was your father ever married again before he married your mother?—A. Yes, to Folokeka.

Q. Is she dead or living?—A. Dead.

Q. Do you know when she died?—A. I understand she died before my father and mother were married.

Q. Did your father have children by Leigoa?—A. Yes, four.

Q. What are their names?—A. Kittie living faa-Samoa, Fetoi, Daniel, and George.

Q. Did your father leave a will?—A. Yes.

Q. Have you a copy of it?—A. Yes.

(The witness here presents what purports to be a copy of his father's will, dated May 6, 1908, made in the German court of Apia, and appointing him—Michael Scanlan, the witness—as executor.)

Q. Have proceedings been taken to prove this will in court?—A. Yes; my father's children by his first marriage are fighting the will.

Q. Has the case been decided yet?—A. No.

(The witness was here instructed to furnish a duly certified copy of the will, as attempted to be proved in the Apia court and the proceedings thereunder.)

Q. Where were you living in March, April, and May, 1899?—A. At Faleula, with my father.

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Q. Do you remember what happened at that time, if anything, of an unusual nature?—A. There was a war between Mataafa and Malietoa, and the English and Americans were fighting for Malietoa.

Q. Was any of your father's property injured or destroyed in that war?—A. Yes.

Q. State by whom and how it was so injured and destroyed.—A. The Mataafa people were cutting everything down and carrying them off.

Q. State, by items, such of your father's property as was injured or destroyed, giving the value of each item so destroyed and the amount of damage done to each article damaged.

(The witness here presents copies of two letters bound together purporting to have been addressed by his father, Michael Scanlan, to Consul General Osborn on May 13 and June 3, 1899, respectively, attached to each of which letters is an itemized statement of the losses claimed to have been suffered.)

Q. I show you these papers and ask you what they are?—A. Copies of what my father lost in the war.

Q. I shall mark these papers, respectively, "Exhibit A" and "Exhibit B" and attach them to your deposition, if you have no objection to my taking them to Washington.—A. All right.

Q. Do you remember what property your father had at Faleula at this time of the war?—A. Yes.

Q. What buildings were there?—A. Two European houses and three Samoan houses.

Q. Do you remember the size of these houses?—A. Yes; one had four rooms and the other two rooms; the larger house had a veranda all around and the smaller a veranda only on the front and the back.

Q. Do you know how old these houses were at the time of the war?—A. The large one about 3 years old and the smaller a year and a half.

Q. Do you remember about the dimension of these houses?—A. Yes; the large one was about 30 feet long and 18 feet deep, with an 8-foot veranda. The smaller one was about 20 by 14.

Q. Do you remember what else was on the place then?—A. There were a great number of pigs, as it was my father's business to raise pigs to sell. I remember there were horses and coconut trees.

Q. Do you know what was the size of your father's place at that time?—A. Nine and one-half acres, and then he was planting 7½ acres of his father's estate, right next to his place. He was doing this for himself and his brothers and sisters, and shared the produce with them.

Q. Do you remember anything else on the place then?—A. Yes; there were some kava and cocoa plants.

Q. Anything else you remember?—A. Some fowls.

Q. Did you live on this place all through the war?—A. We came to Apia, as my father was court interpreter, and the admiral sent for him and used to send him to take messages to Mataafa and do all the business with him.

Q. Did you leave the place vacant?—A. Yes; because my father was interpreter for the admiral the Maafa people were sore at us and we could not stay there.

Q. When did you go back there again?—A. When the war was over—I think in three or four months.

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Q. What did you see there when you got back?—A. Most of the coconut trees were cut down—about 300.

Did you count them yourself?—A. No; my father did.

Q. What else did you see?—A. Both houses were smashed to the ground, and the Samoan houses were all burned up, all the furniture was carried away. The three horses were gone and so were the pigs and chickens.

Q. Anything else?—A. The tapa mats were gone.

Q. Do you know anything of your own knowledge as to the value of all these articles?—A. No.

Q. So far as you know, did your father ever recover any of this property?—A. No.

Q. So far as you know, did he ever receive any compensation, directly or indirectly, from any person or government for these losses?—A. No.

Q. Do you know how your father became the owner of this property?—A. He bought it himself.

Q. Did your father, so far as you know, take any part in this war, for or against any faction or party?—A. He was under the orders of the American admiral.

Q. Is there anything more you care to say about the case?—A. No.

Q. Do you remember a bathing place on your father's property?—A. Yes; it had cement sides, and springs were in the bottom from which the water came.

Q. How large was it?—A. About 8 feet wide and 12 feet long.

Q. Was any damage done to that during the war?—A. Yes; it was filled with rocks.

Q. How deep was the well on this place?—A. About 30 feet—no more. It was a very deep well.

Q. What happened to that, if anything, during the war?—A. It was all filled up with stones.

Q. Is there anything more you want to say?—A. My father had pigs at Faleula besides those on his own place, Fasitoo, and some at Salieamoa, at the time of the war. When the war was over my father told we that he called upon the chiefs of the villages where these pigs were kept, and they said that the Mataafa people had eaten them.

TELEA:

Q. What do you know about this claim?—A. I know that 3 of his horses were killed.

Q. Did you see them killed?—A. I saw the Mataafa people taking them away.

Q. What did you see besides?—A. The Mataafa people killed and ate 50 or 60 pigs of Scanlan's.

Q. Anything else?—A. Michael Scanlan came to Mulinuu, at the time of the war, and I saw the Mataafas taking away everything that was in his houses, all the furniture, fine mats, and tapas. They broke the posts of his European houses and smashed them to the ground. The people ate a lot of the fowls. They burned his Samoan houses—three; one big one and two small ones, used for dining and cooking. They cut down a lot of cocoanut and breadfruit trees. They smashed one rowboat and some canoes.

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Q. Where were you at this time?—A. I was there on the Mataafa side.

Q. Is there anything else you want to say?—A. No.

Q. How many European houses were there on Scanlan's place?—A. Two; one for living purposes and the other a kitchen.

Q. Was there a well on the place?—A. Yes.

Q. Did the Mataafa people do anything to that?—A. They filled it up with stones.

Q. Did the Mataafa people have any particular grudge against Michael Scanlan?—A. Yes.

Q. Why?—A. Because he was interpreter and was going about on the ships and showing the officers where the Samoans were.

Q. Was there a bathing place there?—A. Yes.

Q. What happened to that, if anything?—A. It was filled with stones.

Q. Do you know whether Scanlan had any pigs at the time of the war elsewhere than at Faleula?—A. Yes; he had at Saleimoa and Afega. I heard these were taken during the war but didn't see them myself.

TUIMAUGA:

Q. What do you know of Michael Scanlan's claim?—A. I kept some of his pigs at Faleula at the time of the war—about 50 big and little pigs. They were all killed by the Mataafa people.

Q. Did you see it done?—A. Yes; they tried to kill me when I tried to stop them.

Q. What arrangements did you have with Scanlan for keeping these pigs?—A. We halved the little pigs that came from them.

Q. Do you know anything more about the case?—A. I saw the Mataafa people taking 3 horses from Scanlan's place at Faleula during the war.

Q. Did you see anything which happened at Scanlan's house during the war?—A. Yes; saw two iron-roofed houses pulled down, and a lot of pigs and fowls killed; don't know the number. I also saw the Mataafa people filling the well and bathing place and drinking pool with stones.

Q. Do you know whether Scanlan had pigs at other places?—A. Yes; he had pigs at Fasitoo, Saleimoa, and Malie.

MICHAEL SCANLON, CLAIMANT'S EXHIBIT A.

J. R. B., vice counsul, U. S. A.

APIA, SAMOA, *May 13, 1899.*

The Hon. L. W. OSBORN,
United States Consul General, Samoa.

SIR: I have the honor to inform you that the Mataafa people have committed damage to my place and property at Faleula as follows:

	Value of damage.
300 pigs (stolen)	$600
200 poultry (stolen)	50
3 horses (stolen)	110
14 head of cattle (killed)	700
3 houses burnt	200
2 weather-board houses partially destroyed	250
300 coconut palms cut down and destroyed	1,200
250 kava plants (stolen)	250
Cacao destroyed	100

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Furniture in house stolen:	Value of damage.
9 chairs, $9; 2 rocking chairs, $10	$14
Chest of drawers, $10; large clock, $10	20
3 large mirrors	8
10 large pictures in frames	10
6 boxes	18
2 music boxes	15
3 tables	15
Kitchen utensils	10
Crockery, knives, forks, spoons, 340 pieces	70
Plantation implements:	
Axes, knives, spades, etc	25
Grindstone	5
Taro taken and destroyed	100
Two Snider guns (stolen)	40
	3,810

The foregoing consist of the savings of many years labor of myself and family, and I respectfully beg you to endeavor to obtain for me some compensation for the losses I have sustained at the hands of the Mataafa people during the rebellion.

I have the honor to be, your most obedient servant,

M. SCANLON.

MICHAEL SCANLON, CLAIMANT'S EXHIBIT B.

J. R. B., vice consul, U. S. A.

APIA, *June 8, 1899.*

The Hon. L. W. OSBORN,
United States Consul General, Samoa.

SIR: I have the honor to inform you that during the past few days the Mataafa people have committed further damage to my place at Faleula. They have filled up a water well and a bathing place with stones and dirt, carried away the balance of the galvanized roofing iron and woodwork of the two weather-board buildings, and blazed the stumps of the mango trees to prevent further growth. I make further claim for this damage as follows:

2 houses valued at $1,500 less $250 claimed in letter of May 13 last	$1,250
Damage to well	50
Damage to bathing place	100
	1,400
Making-together with former claim, viz	3,810
	5,210

And I beg your kind assistance in procuring me compensation to that amount.

I have the honor to be, your obedient servant,

M. SCANLON.

MICHAEL J. SCANLON.

CLAIMANT'S EXHIBIT C.

J. R. B., Vice Consul, U. S. A.

II. 1/08. BEGLAUBIGTE ABSCHRIFT.

DER KAISERLICHE BEZIRKSRICHTER,
Apia, den 20. October 1909.

Gegenwaertig: Gouvernementssekretaer Peters, stellvertretender Kaiserlicher Bezirksrichter als Richter. Gerichtsassistent von Egidy, als Gerichtsschreiber.

Es erschienen Penina Scanlon, Witwe des Erblassers. Michael Scanlon, Sohn des Erblassers, Moritz Scanlon, Sohn des Erblassers, Jannet Scanlon, Tochter des Erblassers, Willy Scanlon, Sohn des Erblassers, Josephine Schroeder geb. Scanlon Tochter des Erblassers, Daniel Scanlon Sohn aus I. Ehe des Erblassers Leuga Ehefrau des Erblassers aus I. Ehe Lisi Tochter des Erblassers aus I. Ehe Fetoai Tochter aus I. Ehe des Erblassers Caroline Silva Schwester des Erblassers.

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Der Hinterlegungsschein ueber die unter No. 56 des Verwahrungsbuchs eigetragens Verfuegung von Todes wegen befindet sich bei den Akten.

Es ist gerichtskundig, dass der Erblasser gestorben ist.

Das Testament lag vor. Es war mit den Gerichtssiegel zweimal verschlossen.

Es wurde festgestellt, dass der Verschluss unversehrt war. Hierauf wurde das Testament geoffnet und einschliesslich des Protokolls ueber die Errichtung den Beteiligten verkuendet.

An den Kaufmann Herrn G. W. PARTSCH,
Hier.

Vorgelesen, Genehmigt, Unterschrieben.

(gez.) PENINA.
(gez.) MICHAEL SCANLON.
(gez.) MORRIS SCANLON.
(gez.) JANET SCANLON.
(gez.) WILLI SCANLON.
(gez.) JOSEPHINE SCHROEDER.

Geschlossen:
(gez.) PETERS.
(gez.) VON EGIDY.

Vorstehende Abschrift stimmt mit der Urschrift ueberein.

APIA, *den 19. Juli 1911.*

[SEAL.]

(Signature illegible)
Gouvernementssekretaer.

MICHAEL J. SCANLON

CLAIMANT'S EXHIBIT D.

J. R. B., Vice Consul, U. S. A.

II. 1/08. BEGLAUBIGTE ABSCHRIFT.

KAISERLICHES BEZIRKSGERICHT,
Apia, den 20. October 1909.

Gegenwaertig: Kaiserlicher Bezirksrichter Dr. Imhoff, Gerichtssekretaer Mars. Verkuendet, gez. Peters. als Richter.

Es erschien der Haendler Michael Scanlon in Faleula.

Der Erschienene ist den Gerichtspersonen bekannt.

Der Erschienene stellte den Antrag seinen letzten Willen zu Protokoll aufzunehmen. Er erklaerte, dass er amerikanischer Staatsangehoeriger und der deutschen Sprache nicht maechtig sie. Es wurde deshalb der Kaufmann Julius Niebuhr als Dolmetscher der englischen Sprache zugesogen. Nachdem der Dolmetscher den Dolmetschereid geleistet hatte, erklaerte der Haendler Michael Scanlon sein Testament wie folgt:

SEC. 1. Zu meinen Erben ernenne ich: (1) Meine Ehefrau Penina Scanlon. (2) Meinen Sohn aus erster Ehe George Scanlon, ferner meine Kinder aus meiner Ehe mit Penina, naemlich: (3) Janet Scanlon. (4) Michael Scanlon, Stellmacher. (5) Sose Schroeder, geboren Scanlon. (6) Morris Scanlon. (7) Jane Scanlon. (8) William Scanlon. (9) Faatei Scanlon. (10) Carolina Scanlon. (11) Rita Scanlon. (12) Alaisa Scanlon; (13) Jessie Scanlon, saemtlich in Faleula, zu gleichen Teilen.

An den Kaufmann Herrn G. W. PARTSCH,
Hier.

2. Meine Erben duerfen die zu meinen Vermoegen gehoerigen Grundstuecke nicht durch Verfuegung unter Lebenden veraeussern.

3. Meine minderjaehringen Kinder, sowie meine Ehefrau Penina erhalten das Recht, in dem auf meinem Grundstueck in Faleula befindlichen Hause zu wohnen. Dieses Recht erlischt fuer meine Kinder mit Eintritt der Volljaehrigkeit, fuer meine Ehefrau bei Wiederverheiratung.

4. Zum Vormund meiner minderjaehrigen Kinder ernenne ich den Kauffmann Parkhouse hier. Falls dieser an der Annahme des Amtes verhindert sein sollte, ernenne ich den jeweiligen amerikanischen Konsul zum Vormunde meiner Kinder.

5. Zum Testamentsvollstrecker ernenne ich meinen Sohn Michael Scanlon.

Hierauf ist die anliegende englische Uebersetzung von dem Dolmetscher Niebuhr angefertigt worden.

Das Protokoll sowie die englische Abschrift sind hierauf dem Erblasser vorgelesen von ihm genehmigt und wie folgt eigenhaendig unterschrieben worden.

(gez.) MICHAEL SCANLON.
(gez.) J. NIEBUHR.
(gez.) Dr. IMHOFF.
(gez.) MARS.

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[Translation.]

IMPERIAL COURT,
Apia, 6. May, 1908.

Present: Imperial Judge Dr. Imhoff, Clerk of the Court Mars.

There appeared the trader Michael Scanlon, of Faleula.

The above mentioned is known to the court.

He makes application to have his last will and testament taken to protocol. He declares to belong to the United States of America and that he has no knowledge of the German language. For this reason the merchant Julius Niebuhr was engaged to act as interpreter of the English language. After duly having sworn his oath as interpreter, trader Michael Scanlon declares his last will as follows:

1. For my heirs I appoint: (1) My wife Penina Scanlon. (2) My son out of my first marriage George Scanlon, further my children out of my marriage with Penina viz: (3) Janet Scanlon. (4) Michael Scanlon, a wheelwright. (5) Sose Schroeder, born Scanlon. (6) Morris Scanlon. (7) Jane Scanlon. (8) William Scanlon. (9) Faatei Scanlon. (10) Caroline Scanlon. (11) Rita Scanlon. (12) Alaisa Scanlon. (13) Jessie Scanlon. All of them in Faleula, in equal parts.

2. My heirs are not allowed to sell the premises belonging to my estate as long as they live.

3. My children under age, same as my wife Penina, are entitled and have the right to dwell or reside in the house placed on my premises in Faleula. This privilege is void for my children when they become of age, and for my wife when remarrying.

4. For my children under age I appoint Merchant Parkhouse of this place, and if he should be prevented to accept of the office then I appoint the American Consul holding office at the time for guardian of my children.

5. For executor I appoint my son Michael Scanlon. Following this the hereby annexed English translation was made by interpreter Niebuhr. The protocol and likewise the English copy were then read to the testator, who expressed his approval and signed his signature.

(Signed) MICHAEL SCANLON.
(Signed) J. NIEBUHR.
(Signed) DR. IMHOFF.
(Signed) MARS.

No. 56 des Verwahrungsbuchs fuer letztwillige Verfügungen Testament des Haendlers Michael Scanlon in Faleula, Apia, den 6. Mai 1908. gez, Imhoff. Kaiserlicher Bezirksrichter.

KAISERLICHES BEZIRKSGERICHT,
Apia, den 6. Mai 1908.

Vor den unterzeichneten Gerichtsbeamten ist heute von dem Haendler Michael Scanlon, wohnhaft in Faleula, an der Gerichtsstelle muendlich unter Zuziehung des Kaufmanns Julius Niebuhr von Apia als Dolmetschers der englischen Sprache ein Testament errichtet worden.

Das hierueber aufgenommene Prokotoll ise von dem Richter in Gegenwart des Gerichtsschreibers, des Dolmetschers und des Erblassers mit dem Gerisctssiegel zweimal verschlossen und mit folgender Aufschrift versehem worden:

Testament des Haendlers Michael Scanlon in Faleula. Apia, den 6. Mai 1908.

(gez.) IMHOFF,
Kaiserlicher Bezirksrichter.

Der Wert des Gegenstandes des Testamentes ist auf 86000 M angegeben wordem.

(gez.) OMHOFF,
Kaiserl. Bezirksrichter.
(gez.) MARS.
Gerichtssekretaer.

Vorstehende Abschriften stimmen mit den Urschriften ueberein, Apia, den 19. Juli 1911.

[SEAL]

(Signature illegible),
Gouvernementssekretaer.

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NO. 14. WILLIAM R. PETTIBONE.

THOMAS BRIGHOUSE:

Q. For whom do you appear?—A. My daughter, Mona Brighouse.

Q. What interest has she in the claim of William R. Pettibone?—A. She is the daughter of the former Mrs. Pettibone.

Q. Did you marry Mrs. Pettibone, and if so, when?—A. Yes; in 1895.

Q. Have you any record of that marriage?—A. I have a certificate of marriage which I have left with the court here in Apia. I expect to produce it later.

Q. Do you know anything about the death of Mr. Pettibone?—A. I do not.

Q. Do you know anything about the losses he claimed to have suffered in the military and naval operations in and about Apia, Samoa, in March, April, and May, 1899?—A. I do not.

Q. How long have you lived in Samoa?—A. Five years.

Q. Were you in Samoa during any part of the year 1899?—A. No.

Q. Have you any evidence to present now regarding Mr. Pettibone's said losses?—A. Not at present.

Q. Has any guardian been appointed for your daughter Mona?—A. No. I am appearing for her as her natural guardian. She is now with my mother, Emma Brighouse, in Liverpool, England.

Q. Do you know whether Mr. Pettibone's estate has ever been administered in any court?—A. Not to my knowledge.

Q. Is your wife—formerly Mrs. Pettibone—living or dead?—A. Dead.

Q. When did she die?—A. September 25, 1908, in Apia.

Q. Did she leave a will?—A. No.

Q. Has her estate ever been administered in a court or any action taken to that end?—A. No.

Q. What was her first name?—A. Marie.

Q. Is that all you know of the claim?—A. Yes.

NO. 15. WILLIAM HARDER.

W. HARDER:

Q. Where were you born?—A. In Germany.

Q. State whether or not you are a citizen of the United States.—A. Yes.

(The consul here states that the registration of this claimant has recently been refused by the Department of State and a letter sent to claimant advising him of this fact.)

Q. Have you received such a notice?—A. No.

Q. How was your citizenship acquired?—A. By naturalization.

Q. In what court were you naturalized?—A. In San Francisco. I have forgotten the name of the court.

Q. On what date were you naturalized?—A. That I couldn't tell. I have my naturalization certificate at home.

(The witness was here instructed to bring his certificate at a later date.)

Q. When did you go to the United States first?—A. In 1872.

Q. How long did you stay there?—A. Seven years.

Q. What was your last place of residence in the United States?—A. San Francisco.

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Q. What occupation did you follow there?—A. Carpentering.
Q. Where did you go then?—A. To Samoa.
Q. Have you lived in Samoa ever since?—A. Yes.
Q. Have you ever since your naturalization declared allegiance to any other Government?—A. No.
Q. Have you ever done anything to cause you to lose your American citizenship?—A. No.
Q. State whether your residence in Samoa is temporary or permanent.—A. If I could sell out, I would go right away. My two sons are both in the American Navy.
Q. State whether you intend to return to the United States to live permanently.—A. I would if I could sell my land. Otherwise I have no money.
Q. Were you in Apia during the months of March, April, and May, 1899?—A. Yes.
Q. What was your occupation at the time?—A. Carpenter and overseer on a plantation.
Q. Of what country were you then a citizen?—A. Of the United States.
Q. State whether anything unusual happened in Samoa.—A. We got orders from the plantation to come to Apia, as the American and English men-of-war were throwing in shells. There was a war on between the Samoans and the English and Americans.
Q. Was any of your property injured or destroyed in this war?—A. Yes.
Q. Do you know by whom it was so injured or destroyed?—A. I think both the Mataafa and the Malietoa forces, but didn't see it done.
Q. State by items such of your property as was destroyed, giving the values of each item thereof.—A. The witness here submits four separate pieces of paper containing itemized statements of his losses, as claimed, and asks that they be received in evidence.
Q. I show you these papers and ask you what they are?—A. They are papers which I made up myself in June or July, 1899, sitting down and thinking with my wife and family to help me remember. The items represent what we could remember that we had lost during the war.
(Received in evidence and marked "Claimant's Exhibits A, B, C, and D.")
Q. Where was your said property located at the time of the war?—A. In my place at Lotopa.
Q. How many acres in that place?—A. Twenty-seven.
Q. When did you buy it?—A. About 4 or 5 years before the war.
Q. How much did you pay for it?—A. $20 an acre.
Q. Was any of it then under cultivation?—A. No.
Q. Any house on it then?—A. No.
Q. Did you live on it yourself before the war?—A. Yes, for about 2 years.
Q. What did you do in the way of improving the place?—A. I built a house right after I bought the place.
Q. How much did that cost you?—A. About $400.
Q. What other improvements did you make on the place?—A. About 2 or 3 years before the war I began to set out coconut, coffee, and breadfruit trees.
Q. How many coconut trees?—A. Only about 100.

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Q. How many coffee trees did you plant?—A. One hundred and sixty-three.

Q. How many breadfruit trees?—A. A dozen or two.

Q. How long before the war did you move away from this place?—A. Between 6 months and one year.

Q. Did anyone occupy the place right after you left?—A. I leased it on shares to C. Pullock, who lived on the place.

Q. What improvements, if any, did he make on the place before the war?—A. He put up a fowl house and fowl fence. I paid for the material and he did the work. I paid $40 for the wire alone. The house was 10 by 20.

Q. Was Pullock living on the place when the war broke out?—A. He stayed until things got too hot and he ran away. Might have been 3 weeks after the war started.

Q. When did you first see the place after the war began?—A. About a week after the war was over.

Q. What was the condition of things on the place when you saw it then?—A. The Samoan house was burned. I think this was burned after peace was declared. Bullet holes were in the dwelling house. Water tank was damaged, cost about $5 to solder it up. Everything which was in my house was either gone or broken so that I had to throw them away. The sofa I used again, but am only charging the $5 which it cost me for repairs. The fowl house was a little damaged and a part of the fowl fence was gone. All the coffee trees were pulled up.

Q. How old were the coffee trees?—A. About a year or two.

Q. How much are you charging for them?—A. $1 each.

Q. In making up your accounts are you charging what the articles cost you?—A. Yes; as near as I could guess to it.

Q. At the time of the war, did you and your family have their clothes at this place in Lotopa or on the plantation where you were working?—A. On the plantation.

Q. Do these items of loss cover as well what was lost on the plantation as at Lotopa?—A. Yes.

Q. When you left the plantation under orders to come to Apia did you bring your family with you?—A. Yes.

Q. Did you bring any property away with you?—A. Just the clothes we wore and a change of clothes, except a little box with my papers in it.

Q. Why didn't you bring other things?—A. Because I didn't expect damage would be done. Being so long in Samoa I thought the natives would give in in no time.

Q. When did you see the plantation again?—A. We were taken away twice. The first time a day or so after the bombardment. We stayed away then about two weeks, when we got permission from the English and Americans to go back.

Q. When you returned that time, did you find that damage had been done to your property on the plantation?—A. Yes; clothes and provisions were all gone. Furniture not much damaged.

Q. When did you go away again?—A. About two weeks later we got notice from Apia to leave as the ships were about to shell the place again right away.

Q. Did you take anything away with you?—A. Only what clothes we had left. The only other things we had left were heavy things and we couldn't take them away.

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Q. How long did you stay away from the plantation then?—A. About three weeks, when we were allowed for the second time to go back.

Q. Was the war over then?—A. No; but the enemy had been driven back from our plantation.

Q. Did you ever see any of the Mataafa men around the plantation?—A. Only at the beginning of the war.

Q. How far is this plantation from Apia?—A. About 5 miles west at Vaitele—the German firm's place.

Q. How many in your family at the time of the war?—A. My wife, one boy about 15, another about 4 or 5, and three smaller children.

Q. Did you ever, directly or indirectly, recover any articles lost or destroyed?—A. No; heard where one horse was, but the natives wouldn't give it back to me because I was an American.

Q. State whether or not you have ever received any compensation from any person or Government for the damages suffered.—A. Not for what I have claimed. Mr. Pullock was paid for some fowls we owned together by the German Government, and he gave me my share.

Q. Did you take any part in this war, for or against any side or faction?—A. No; I kept quiet.

Q. State whether or not you maintained a position of strict neutrality.—A. I did.

Q. Is there anything further relative to the case that you care to say?—A. No.

Q. Did all the furniture in your Lotopa place belong to you?—A. No; part of the furniture belonged to Pullock.

Q. Have you now made up a list of your losses, dividing them according to the places where the property was located?—A. Yes; here is the list.

Q. I shall mark this as "Exhibit E" and attach it to your deposition if you have no objection to my taking it.—A. All right.

Q. To whom did the furniture in your house on the plantation belong?—A. All to me.

Q. Didn't the plantation company supply you with any furniture?—A. No; just the house.

Q. I see you are charging for a lot of clothes on the plantation. Why didn't you take them away with you? A. Because we expected to be away only a day, and then we hadn't much time.

Q. Weren't there a good many natives around the plantation when you left?—A. Yes; but it had never happened before that they had done any looting, and we weren't expecting it.

Q. Did you work your own horses on the plantation?—A. No.

Q. What did you do with them?—A. The boy used one to come to town to school, the wife used one, and the other was for me.

Q. You have an item on your list of $60 for "land" at Lotopa. What does that mean?—A. That I can't make out. I have been thinking about that, too.

Q. You have several items here marked "not charged." Why are these down?—A. I found that Mr. Pullock had charged these to the German Government.

Q. Did Mr. Pullock pay you anything out of the awards he received from the German Government?—A. Yes; he paid me $50 for my share in those items.

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Q. Did he pay you anything else?—A. No.

Q. Has Mr. Pullock any interest in the articles for which you are now charging?—A. No; that's all mine.

Q. What is this item on page 4 of your list "Masters, etc."?—A. I think it means a box containing drawing tools.

Q. Have you now your naturalization certificate?—A. Yes.

Q. I show you this paper and ask you what it is?—A. It is my naturalization certificate.

Q. I shall mark this as "Exhibit F" and attach it to your deposition if you have no objection to my taking it to Washington.—A. All right; but I should like to get it back.

Q. How old were you when you went to America?—A. Fourteen years. I was just of age when I took out my citizen papers.

Q. And you left the United States the next year?—A. Yes.

Q. Is there anything more you care to say?—A. Except that the damage to the house at Lotopa I don't see on the paper, but Mr. Pullock said he gave it in to Mulligan. Mulligan may have changed some of the items or left out some. I can't tell.

CONSTANTIN TIEDEMAN:

Q. Where did you live in March, 1899?—A. I was manager of Vaitele plantation, about 3 miles from Apia.

Q. Did you know William Harder at that time?—A. Yes; he was then employed on the Vaitele plantation.

Q. Did he then reside on the plantation?—A. Yes; he had a house there in which he and his family lived.

Q. Did you remain on the plantation during the war?—A. No; we had orders from the German firm on March 16 to leave the plantation; to leave right away.

Q. Did Mr. Harder also leave at that time, if you know?—A. Yes; he left with the rest of us in boats. We all came to Apia.

Q. Do you know what he took with him?—A. Yes; he only took a small package of clothes. We thought we could go back the next day, and so took little with us.

Q. When did you go back to the plantation?—A. On March 21.

Q. Did Mr. Harder go back then, too?—A. Yes.

Q. How long did you stay there?—A. Seven days, when we received orders to come to Apia again and all of us came. The reason for this was that the bombardment was going to start again, and besides there were so many natives around we couldn't work the plantation.

Q. What did you take with you then?—A. We all took only a few clothes.

Q. Why didn't you take more?—A. Because the firm sent the boats down for us with orders to bring us away immediately and we had no time to take anything; besides, there was no room in the boats.

Q. Do you remember now what Mr. Harder had in his house on the plantation at the beginning of the war?—A. No.

Q. How long did you stay in Apia after you left the plantation the second time?—A. Until April 27, 1899. I myself went down on April 13 with a lighter to bring copra to Apia. This was under pass from Admiral Kautz.

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Q. After you went back the first time did you see Mr. Harder's house?—A. Yes; everything that was in the house had been taken away—there wasn't a pot left. Some of the furniture was lying outside of the house, but all were cut with knives, axes, and smashed up.

Q. You are sure this was all done before you went back on March 21?—A. Yes.

Q. Then there wasn't anything of his left to be damaged after that?—A. There may have been some chairs. My memory is poor now after staying here 26 years without a change.

Q. Did you see Mr. Harder's house after you returned the second time?—A. There was nothing around the house but rubbish—broken things, chairs, tables, etc.

Q. What kind of furniture did he have in his house before the war?—A. A good lot of furniture, and carpenter's tools; he was a carpenter.

Q. How many rooms in the house?—A. Two, a large room and a bedroom, and an outside kitchen.

Q. Do you understand that he owned the furniture in this house?—A. Most of it—the beds and 2 or 3 chairs and a table belonged to the plantation, and the stove. The rest was his own.

Q. Did the tools belong to him?—A. That I don't know.

Q. Is there anything more that you care to say?—A. No.

Q. Have you ever testified in this case before?—A. Yes; in 1899, before Mulligan, a lawyer who came down here from America for the claimants.

Q. What did you testify to at that time?—A. As to the articles he lost in the war.

Q. Do you know who did this damage to Mr. Harder's place?—A. We couldn't find out exactly, but understood that the first damage was done by the Malietoa party, who came up there from Apia. Later the Mataafa people did some damage, as we suppose.

LIZZIE HARDER:

Q. Where did you live in March, 1899?—A. On the Vaitele plantation.

Q. Were you then married to Mr. Harder and living with him?—A. Yes.

Q. How many rooms were there in the house you lived in?—A. Two rooms.

Q. I show you this list marked "Exhibit E" and ask you if you then had in and about your house the items marked Vaitele?—A. Yes.

Q. Do you remember now having all these things in your house and about?—A. Yes; all my clothes and the children's things.

Q. Why didn't you take some of these things away when you left?—A. We were in too much of a hurry. They sent for us.

Q. Did your husband have some horses up there?—A. Yes; three.

Q. For what did he use them?—A. One for the buggy and one for my boy to ride to school and one for my husband to ride.

Q. What property did your husband have in his Lotopa house at this time?—A. All of his tools—I mean half of his tools were there, the others he took to the plantation—four chairs, and a table of his were at Lotopa; we took all the rest to the plantation.

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Q. When did you first go back to the plantation after you left it during the war?—A. We went back first during the same month we left.

Q. What did you see at your place then?—A. Our beds, wardrobes, and chairs were broken to pieces; all the pictures they pulled down and broke. Some of the furniture was inside the house and some of it outside. All of our clothes were gone.

Q. Didn't you ever use any of this furniture again?—A. My husband fixed two chairs and used them again.

Q. Didn't you use the beds again?—A. Yes; but some of the iron was gone and we had to get new.

Q. Is that all you used again?—A. Yes.

Q. Did you ever again see or hear of the horses you lost?—A. No; we had to buy new horses again.

Q. Did you ever recover any of the other things you lost?—A. No.

Q. Do you know who did this damage?—A. No.

Q. Is there anything more you care to say?—A. No.

WILLIAM HARDER, CLAIMANT, EXHIBIT A.

J. R. B., vice-consul, U.S.A.

4 frame saws	$10.00
1 drill and one set of drills	4.00
2 patent brads & awls	2.00
3 common do	0.75
1 sledge hamer	2.50
6 hand augers	5.00
1 set of auger bits	5.00
2 wire pinthers	1.00
1 expansive bit	1.50
2 braces	4.00
25 small bits	3.00
8 assorted chisels	3.00
2 universal screw wrenches	4.00
1 wise	3.50
1 do., small	1.50
6 assorted screw wrenches	2.50
6 gauges	3.00
3 spoke shaves	2.00
lot of files and respes	2.00
	60.25
	115.00
	175.25
Turning lath tools, belt & fittings	15.00
Drawing knife	1.50
	191.75
½ doz working trousers	4.50
1 oilskin	5.00
7 white coats	14.00
7 pair trousers	10.00
5 shite shirts	6.00
½ doz. collars	1.50
2 slips	1.00
6 undershirts	1.50
6 collored shirts	6.00
4 pair shoes	8.00
2 hats	2.50
1 umbrella	1.50
1 woolen coat	4.00
1 pair woolen trousers	$2.00
3 bath towls	3.00
3 do., smaller size	2.00
12 do., small	3.00
1 piece suffold trilling	3.75
1 doz. bedsheets	12.00
1 doz. pillow cases	3.00
2 plankets	3.00
14 white pocket handkerchiefs	1.75
6 silk do	1.50
2 bed quilts	2.00
6 window curtains	5.00
2 roulleaux	2.00
4 linen table cloth	2.00
2 do., colored table covers	2.00
2 lamps	2.00
3 muscito screens	9.00
1 cigar lighter	1.50
	126.00
4 ladys working dresses	4.00
1 dozen fancy dresses, print	36.00
6 ladys undershirt	6.00
3 do., nightgowns	3.00
6 do., chemises	6.00
4 pair of stockings	2.00
2 shawls	2.00
2 pair ladys shoes	4.00
2 ladys hats, trimmed	5.00
1 riding dress	3.00
1 lot assorted ribbons, silk	5.00
2 bottles scent	0.75
5 pieces assorted print	10.00
Boy of 14 years old:	
4 pair of boys shoes	3.00
3 white boys suit	7.50
6 boys suits (everyday suits)	9.00
2 boys hats	2.00
6 pairs of socks	1.50
6 undershirts	1.50
2 white shirts	2.00

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Boy 4 years old:	
2 pair boys shoes	$1.00
6 suits	6.00
6 pair socks	1.50
1 hat	0.50
6 shirts	1.00
Clothing for girl 2 years old	5.00
Babys clothing	5.00
	138.25
Buggy lantern	1.50
1 wire cloth line	1.50
1 piece oil cloth for buggy	2.00
1 buggy horse whipp	1.50
	6.50
1 buggy and ladys riding horse	60.00
1 imported Tonga horse	50.00
1 pony	25.00
Hens à /2–.	
Roosters à /2–.	
Poulets & cockrels à /–6.	
Chickens à /–6.	
Sows.	
Boar.	
1 beehive	5.00
Farming tools:	
1 heavy crowbar	2.50
1 small do., steel pointed	2.00
2 haw and pick axes	5.00
6 haws	5.00
3 shovels	3.00
3 spades	3.00
6 large axes	6.00
6 18-inch knifes	4.50
Grindstone, complete	6.00
1 heavy cart harness	10.00
1 buggy harness	7.50
1 very large pot (boiler)	4.00
1 5 ft. grosscut saw	4.00
2 saddle, 3 bridle, and 3 saddle cloths	32.00
1 horse brsh & scraper	2.00
Roofing iron—	
12 pieces 8 feet	10.50
4 pieces 6 feet	2.50
100 sq. ft. pine	5.00
2 pairs of buggy fallow	6.00

Farming tools—Continued.	
30 spokes	$5.00
25 galvanized nails	2.00
8 lb. copper boat nails	2.00
10 gross assorted brassen and iron screws	3.00
1 tin black paint (28 lb.)	2.50
1 quarter of a barrel of ochere	2.50
	137.50
Carpenter tools:	
16 moulding plaines	25.00
1 plough	10.00
1 tong & groove plane, 1½ inch	2.00
1 do. ¾ inch	1.00
1 do. ⅝ inch	1.00
6 pair hollows & rounds	6.00
3 nosing planer	3.00
6 bead-planes	6.00
3 dado planes	4.50
2 rabbet planes	2.00
1 filleter	2.00
3 common plains	4.50
1 iron block plane	2.00
2 pair of pinchers	1.50
1 set of rivetting tools	1.00
2 bevels	1.50
2 soldering irons	2.50
1 saw-set	1.50
3 gauges	1.75
1 roofing nail puller	1.50
2 oil-stones	2.00
3 hammer	3.00
2 hatchet	2.00
1 2-ft. steel square	2.50
2 small do	1.50
2 screw drivers	1.50
2 ripping chisels	2.00
1 2-feet 6 steel pinch-bar	2.50
1 oilstone slip	0.50
Lot of paint brushes	2.50
3 cross cut saws	7.50
2 ripp saws	5.00
1 keyhole saw (paper torn).	
1 do. common (" ").	
	115.00

William Harder, Claimant, Exhibit B.

J. R. B., V. C., U. S. A.

1 coffee machine	$1.50
1 kerosene stove	3.50
2 tea kettel	2.00
1 frying pan	1.00
5 iron pots	6.00
1 porcellan teapot	1.00
1 coffee pot, enamel	1.00
1 sausage machine	4.50
1 case assort. meat	10.00
1 case samon	5.00
5 tin butter	$2.00
1 bag flour	2.50
6 tin dishes	2.00
6 enamelled cups & saucers	2.00
1 cruit stand	3.00
8 water glasses	1.00
Plates, cups, & saucers, porc	6.00
Meat saw	2.00
Coffe mill	2.00
1 platting iron	1.50

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1 dozen sardines	$1.00
10 bar of soap	2.50
16 table knives	4.00
12 table spoons	4.50
12 tea spoons	2.00
12 large forks, German silver	4.00
2 water monkeys	2.00
	79.00
1 clock	3.00
Repairing of sofa	5.00
Matress	5.00
Bed	5.00
1 newspaper rack	2.50
1 boys tool box and contents	3.00
Kindergarten playthings	10.00
1 looking glass	0.50
1 toilet brush & comb	1.00
2 hammocks	6.00
15 different Samoa mats	15.00
1 campherwood chest	8.00
1 cava bowl & belongings	$2.50
1 new silver soup ladel	1.50
1 sewing machine	25.00
Decorations for Xmas tree	10.00
1 wooden bedstead	6.00
6 chairs	6.00
2 verandah chairs	2.00
1 American trunk	4.00
3 years magazines (bound) Gartenlaube	6.00
2 meerschaum pipes	10.00
1 pair of spectables	2.50
2 pair of scissors	1.00
1 revolver & cartridges	10.00
1 inkstand	2.00
1 fowling piece	8.00
	160.50
2 pair of shoes, mans	5.00
1 hat, mans	1.00

WILLIAM HARDER, CLAIMANT, EXHIBIT C.

J. R. B., Vice-Consul, U. S. A.

Drain pipes	$3.00
1 stove	25.00
2 bars	10.00
2 buckets	1.00
1 watering can, garden	1.00
1 tin opener	0.50
1 corkscrew	0.50
1 lamp	2.50
2 water p	2.50
10 ducks	$7.50
6 fowls	3.00
1 cart d	1.00
1 peppermill	0.50
6 acres banannes	150.00
Land "	60.00
163 coffetrees	160.00
	370.50

WILLIAM HARDER, CLAIMANT, EXHIBIT D.

J. R. B., vice consul, U. S. A.

One sewing machine	$25.00
Six chairs	6.00
Two veranda chairs	2.00
	33.00

$1,453.15.

WILLIAM HARDER, CLAIMANT, EXHIBIT E.

J. R. Baker, vice consul, U. S. A.:

Lost in Vaitele, claimant's Exhibit A:	
2 patent broad awls	$2.00
3 common do	0.75
1 sledge hamer	2.50
1 set of auger bits	5.00
1 expansive bit	1.50
1 V. 1 L. 2 braces	4.00
25 small bits	3.00
3 assorted chisels	3.00
2 universal screw wrenshes	4.00
1 wese small	1.50

Lost in Vaitele, claimant's Exhibit A—Continued.	
3 spokeshaves	$2.00
lot of files & raspse	
½ doz. working trousers	4.50
1 oilskin	5.00
7 white coats	14.00
7 pair trousers	10.00
5 white shirts	6.00
½ doz. collars	1.50
2 slips	1.00
6 undershirts	1.50

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Lost in Vaitele, claimant's Exhibit A—Continued.	
6 collard shirts	$6.00
4 pair shoes	8.00
2 hats	2.50
1 umbrella	1.50
1 woolen coat	4.00
1 pair woolen trousers	2.00
3 bath towls	3.00
3 do. smaller size	2.00
12 do. small	3.00
1 piece Suffold trilling	3.75
1 doz. beadsheets	12.00
1 doz. pillow cases	3.00
2 plankets	3.00
14 white pocket handkerchiefs	1.75
6 silk do	1.50
2 bed quilts	2.00
6 window curtains	5.00
2 rowlleanx doors	2.00
4 lines table cloth	2.00
2 do. colored table covers	2.00
2 lamps	2.00
3 moscito screens	9.00
1 cigar lighter	1.50
Lost in Lotopa, claimant's Exhibit A:	
4 frame saws	11.00
1 drill & one set of drills	4.00
6 hand augers	5.00
1 wese	3.50
6 assorted screw wrenshes	2.50
Turning lath tools	
Belt fittings	15.00
Forgotten whether lost in Vaitele or Lotopa:	
2 wire pinchers	1.00
6 gangs	3.00
Drinring knife	1.50
Lost in Vaitele, claimant's Exhibit A:	
4 ladys working dresses	4.00
1 doz. fancy dresses, print	36.00
6 ladys undershirts	6.00
3 " nightgowns	3.00
6 " chemises	6.00
4 pair stockings	2.00
2 shawls	2.00
2 paid ladys shoes	4.00
2 ladys hats trimed	5.00
1 riding dress	3.00
1 lot assorted ribbons silk	5.00
2 bottle scent	0.75
5 pieces assirted print	10.00
Boy of 14 years old:	
4 pair of boys shoes	8.00
3 white boys suit	7.50
6 boys suits (everydays suits)	9.00
2 boys hats	2.00
6 pair of socks	1.50
Boy of 4 years old:	
2 pair of boys shoes	1.00
6 suits	6.00
6 pair socks	1.50
1 hat	0.50
6 shirts	1.00

Lost in Vaitele, claimant's Exhibit A—Continued.	
Clothing for girl 2 years old	$5.00
Babys clothing	5.00
1 buggy & ladys riding horse	60.00
1 imported tonga horse	50.00
1 pont	25.00
1 buggy landern	1.50
1 wire cloth line	1.50
1 piece of oil cloth for buggy	2.00
1 buggy horse whipp	1.50
Lost in Lotopa, claimant's Exhibit A:	
Not charged—	
Hans a 2/–	
Roasters, 2/–	
Poulets & corkrets, a 1/6	
Chickens, a 0/6.	
Sows.	
Boar.	
1 beehive	5.00
Lost in Vaitele, claimant's Exhibit A:	
Farming tools:	
1 buggy harness	7.50
2 sattils, 3 bridles, and 3 settle cloth	32.00
1 horse brush and scraper	2.00
1 L, 1 V, 2 bevels	1.50
1 ", 1 ", 2 small steel square	1.50
2 screw drivers	1.50
2 ripping chisels	2.00
1 keeyhole saw	
1 keeyhole common	
Lost in Lotopa, claimant's Exhibit A:	
1 heavy crowbar	2.50
1 small do. steel pointed	2.00
2 haws pick axes	5.00
6 haws	5.00
3 shevells	3.00
3 spades	3.00
6 large axes	6.00
Grindstone complete	6.00
1 heavy cart harness	10.00
1 very large pot (boiler)	4.00
Roofing iron, 12 pieces, 8 feet	10.50
4 pieces, 6 feet	2.50
100 feet pine	5.00
2 pairs of buggy fallow	6.00
30 spokes	5.00
25 lb. galvanizer nails	2.00
8 lb. copper boat nails	2.00
10 gross assorted brassen and iron screws	3.00
1 tin black pint, 28 lb	2.50
1 quarter of a baral of chere	2.50
16 moulding planes	25.00
1 plough	10.00
1 tong and groove plane	2.00
1 do. ¾ inch	1.00
6 pairs hollows and rounds	6.00
5 nosing planes	3.00
6 bead planes	6.00
3 do. planes	4.50
2 rabbet plaines	2.00

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Lost in Lotopa, claimant's Exhibit A—Continued.	
1 filster	$2.00
3 common plaines	4.50
1 iron black plane	2.00
2 pair of pinchers	1.50
1 set of rivetting tools	1.00
2 soldering iron	2.50
1 saw set	1.50
2 gauges	1.75
1 rufing nail puller	1.50
2 oil stones	2.00
3 hamers	3.00
2 hatchets	2.00
Forgotten whether lost in Lotopa or in Vaitele:	
6 18 inch knifes	4.50
1 5 feet gross cut saw	4.00
1 2 feet steel square	2.50
3 cross cut saws	7.50
2 ripp saws	5.00
Lost in Vaitele, claimant's Exhibit B:	
1 coffe machine	1.50
1 kerosene stove	3.50
2 tea kettel	2.00
1 frying pan	1.00
5 iron pots	6.00
1 porcellen teapot	1.00
1 coffe pot enamel	1.00
1 sausage machine	4.50
1 case assorted meat	10.00
1 case salmon	5.00
5 tin butter	2.00
1 bay flower	2.50
6 tin dishes	2.00
6 enamelled cups and saucers	2.00
1 crint stand	3.00
8 water glasses	1.00
Plates, cups, and saucers	6.00
Meat saw	2.00
Coffe mill	2.00
1 fluttring iron	1.50
1 doz. sardines	1.00
10 bar of soap	2.50
16 table knives	4.00
12 " spoons	4.50
12 tea spoons	2.00
12 large forks Germ. silver	4.00
2 water monkeys	2.00
1 clock	3.00
Repairs of sofa	5.00
Matress	5.00
Bed	5.00
1 newspaper rack	2.50
Lost in Vaitele, claimant's Exhibit B—Continued.	
1 boys tool box and contents	$3.00
Kindergarten playthings	10.00
1 looking glass	0.50
1 toilet brush and comb	1.00
2 hamocks	6.00
15 different Samoa Mata	15.00
1 confer wood chest	8.00
1 kava boul and belongings	2.50
1 new silver soup ladel	1.50
1 sewing machine	25.00
Decorations for Xmas tree	10.00
1 wooden bedstead	6.00
6 chairs	6.00
2 veranda chairs	2.00
1 Americ. trunk	4.00
3 years magazines (bound) Gartenlaube	6.00
2 meerschaum pipes	10.00
1 pair of spectables	2.50
2 pair of scissor	1.00
1 revolver and cartridges	10.00
1 inkstand	2.00
1 fowling piece	8.00
2 pair soes, mans	5.00
1 hat, "	1.00
Lost in Vaitele, claimant's Exhibit C:	
1 tin opener	.50
1 corkscrew	.50
1 lamp	2.50
2 water pitchers	2.50
10 ducks	7.50
6 fowls	3.00
1 pepper mill	.50
Lost in Lotopa, claimant's Exhibit C:	
Down pipes	3.00
2 bars	10.00
1 watering can, garden	2.50
6 Acer Bannannes	150.00
Land	60.00
163 coffee trees	160.00
Forgotten whether lost in Lotopa or in Vaitele:	
1 stove	25.00
2 buckets	1.00
1 cart I	1.00
Claimant's Exhibit D (forgotten whether lost in Lotopa or in Vaitele):	
1 sewing machine	25.00
6 chairs	6.00
2 veranda chairs	2.00

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WILLIAM HARDER, CLAIMANT, EXHIBIT F.

J. R. Baker, vice consul, U. S. A.
[Minor.]

CERTIFIED COPY OF ACT OF NATURALIZATION.

No. 144 B 49.

In the District Court of the Fourth Judicial District of the State of California, in and for the city and county of San Francisco.

Present: Hon. R. F. Morrison, judge.

In the matter of the application of William Harder, an alien, to become a citizen of the United States of America. In open court, May term, A. D. 1878, this 22d day of May, A. D. 1878, as yet of said term.

It appearing, to the satisfaction of this court, by the oaths of Henry Leu and August Gast, citizens of the United States of America, witnesses for that purpose, first duly sworn and examined, that William Harder, a native of Germany, resided in the United States of America three years next preceding his arriving at the age of 21 years, and that he has continued to reside in the United States to the present time, and has resided within the limits and under the jurisdiction of the United States five years at least, last past, and within the State of California for one year, last past; and that during all said five years' time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, and the said applicant has declared his intention to become a citzen of the United States, and having now here before this court taken an oath that he will support the Constitution of the United States of America, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, and sovereignty whatever, and particularly to the Emperor of Germany.

It is therefore ordered, adjudged, and decreed that the said William Harder be, and he is hereby, admitted and declared to be a citizen of the United States of America.

R. F. MORRISON,
District Judge.

Signature:
WILLIAM HARDER.

Office of the clerk of the District Court of the Fourth Judicial District of the State of California, in and for the city and county of San Francisco, *ss:*

I, Thos. H. Reynolds, clerk of the District Court of the Fourth Judicial District of the State of California, in and for the city and county of San Francisco, said court being a court of record having common law jurisdiction and a clerk and seal, do certify that the above is a true copy of the act of naturalization of William Harder as the same appears upon the record of said court, now in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court this 22d day of May, in the year of our Lord one thousand eight hundred and seventy-eight and in the year of our independence the one hundred and first.

THOS. H. REYNOLDS, *Clerk.*
By L. P. PECK, *Deputy Clerk.*

AFFIDAVIT.

I, the undersigned, Carl Pullack, now of Sogi, Apia, Samoa, was during the war-like actions taken by the combined forces of America and Great Britain staying on Mr. William Harder's land as lesee; I stopt on the land until it became to dangerous, on account of shells from warships flying about. Then I left there and brought my family down to Apia, with the intention of again going out to try and protect mine as well as Harder's property. This I was not permitted to do by Lieutenant Lonsdale, first officer of the United States warship *Philadelphia*, and therefore had to stay in town and leave our properties at the mercy of war partie.

When I left Lotopa everything was in good order and condition, but after war-like actions ceased—and I was then allowed to again go out to the place—I found everything either stolen, broken, or ruined.

I herewith make affidavit that all articles enumerated on Mr. W. Harder's list, war claims Ex. A & B & C & D, as far as they refer to his Lotopa property were to the best of my knowledge on the place when I left there for Apia, and either stolen, broken, or ruined when I came out there again after being allowed to do so.

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As far as I can remember now, after about eleven years, I have made a specified claim as per list handet in by Mr. Harder, now, to Mr. Mulligan. In fact, I do believe that Mr. Harder has now forgotten to claim a good many things which were lost from his Lotopa estate during the troubled times, as for instance: 1 native house, worth $60; 1 new dray, worth $50; and a lot of other things.

This I state under affidavit to the best of my knowledge and belief.

CARL PULLACK.

APIA, *18th July, 1911.*

NO. 16. PETER PAUL.

EDWARD RIPLEY:

Q. Where did you live in March, 1899?—A. In Apia with Mr. Paul—I was learning the trade of carpenter.

Q. Do you remember anything unusual which happened in that month?—A. There was a war between the British and Americans and the natives.

Q. What was the first thing that you re ember about the war?—A. They sent all the men ashore from the warships and Mr. Paul got orders to leave his house and go on board. Mrs. Paul and the family went on board. Mr. Paul and I went down town and I went on board the German warship that night. Mr. Paul went to Mr. Latapies and stayed that night and came on board the next day.

Q. What did any of you take with you when you left the house?—A. Nothing but parcels of clothes.

Q. What day was it when you all left the house?—A. The day of the first bombardment.

Q. Where was Mr. Paul's house?—A. On the Tivoli Road, probably between 200 and 300 yards from the beach.

Q. What buildings did he have on the place at the time in question?—A. Two dwelling houses and a carpenter shop, cookhouse and bath-house.

Q. Did he use both of these dwelling houses himself?—A. He used one and rented one.

Q. And you lived there with him?—A. Yes.

Q. What was the size of the house he lived in?—A. I don't remember exactly, but think there were five rooms.

Q. Do you remember whether this house had been long built?—A. I don't know.

Q. What was there in it?—A. Beds two, some chairs, don't remember how many, about two sofas, a bookcase, a sporting-gun—single-barrelled shotgun. That's all I could remember.

Q. Did he have any live stock on the place?—A. He had a horse and some fowls, don't know how many.

Q. Do you know anything about the age of the horse?—A. No.

Q. What was there in the carpenter shop?—A. All his tools—planes, saws—all the tools that he used in his business—a turning lathe and jig-saw, everything.

Q. When did you first see the place after you left it?—A. When the Mataafa people left.

Q. What did you see when you went back?—A. The locks on all the doors were broken, the chairs were all gone from the house, and the sofa, I think. That's all I remember which was gone from the dwelling house. From the kitchen everything was gone and all the provisions from the storeroom. The tubs and buckets were gone from the bathroom. Some of the planes from the carpenter shop were gone

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altogether and from some they had taken the plates. That's all I remember which was taken from the carpenter shop. Can't tell how many planes there were. The horse was gone, but I don't know whether he got it back later. I left for Pago Pago soon afterwards and have only been here about two months since. The fowls were all gone.

Q. Do you remember anything else about the damage done at this place?—A. That's all I remember.

Q. Do you know who did this damage?—A. No.

Q. Do you remember the one-day war in January, 1899?—A. Yes.

Q. Was there any damage done to this place of Mr. Paul's at this time?—A. I don't remember.

Q. Do you know anything about the values of the property damaged or lost by Mr. Paul, as above stated?—A. I have no idea.

Q. What other property did Mr. Paul have in or about Apia in March, 1899?—A. He had a plantation of about 30 acres at Tuagaimato.

Q. Did you visit this soon before the war?—A. Yes; was there about two weeks before the war.

Q. What buildings, if any, were there on this property?—A. A European house about 16 by 24.

Q. How much of the land was under cultivation?—A. Ten or fifteen acres.

Q. What was planted there?—A. Cocoa, coconuts, pineapples, bananas, taro and yams, sweet potatoes, sweet corn, and kava.

Q. Can you tell what part of the place was planted with these several products?—A. No.

Q. When did you first see this place after the war?—A. Just as soon as the natives had left it.

Q. What condition was the place in then?—A. The windows were all broken to pieces, and the lock and hinges on the door were broken open, all the plantation tools were gone. The veranda posts were all cut to pieces with axes. The horse which was used for plantation work was gone, and a shotgun also. The taro and yams were all taken; all the banana trees were cut down. More than half of the cocoa and coconut trees were cut down. The natives had a fort on the place and they cleared the ground to get a good view. Some of the pineapples were destroyed. We had a vegetable garden there of radishes, cabbages, etc., and that was all destroyed. That's all I remember.

Q. Do you know anything about the values of these properties?—A. No.

Q. Did you make any count of the number of trees which were destroyed?—A. No; I didn't.

Q. How old was the horse which was taken from the plantation?—A. About 10 years old, I think.

Q. Did Mr. Paul recover this horse, so far as you know?—A. No; he didn't.

Q. Was there a fence around the plantation?—A. Yes; a barbwire fence was around a part of the place; don't remember how much. Can't remember whether that was damaged.

Q. Do you remember making an affidavit about this claim in July, 1899, or at any other time?—A. I don't remember.

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Q. In a statement or affidavit which purports to have been sworn to by you on July 13, 1899, you state that after the war you made a count of all the trees destroyed on Mr. Paul's plantation during the war. Is this correct?—A. I was up there with Mr. Paul and he made a count, but I didn't keep any count.

Q. In this affidavit it is stated that you knew about the values of the property of Mr. Paul's which was destroyed. Is this correct?—A. No; I didn't know anything about the values.

Q. Are you related to the claimant?—A. Yes. I am his brother-in-law.

Q. Is there anything more you care to say about the case?—A. No.

PETER PAUL:

Q. Where were you born?—A. Germany, State of Baden.

Q. State whether or not you are a citizen of the United States?—A. Yes.

Q. How did you become a citizen of the United States?—A. By naturalization in White Pine County, Nev.

Q. In what court were you naturalized?—A. In the White Pine County court, town of Hamilton.

Q. On what date were you naturalized?—A. 1875.

Q. Have you your certificate of naturalization?—A. I lost it in a fire at a house in which I was living on the Rewa River, Fiji. This was in 1882.

Q. Have you been registered as an American citizen in the consulate at Apia, Samoa?—A. Yes, both me and my children.

Q. When did you leave Germany first?—A. In 1870.

Q. Where did you go then?—A. To the United States.

Q. How long did you live there?—A. Eight years.

Q. What was your last place of residence in the United States?

A. San Francisco.

Q. When did you declare your intention of becoming a citizen of the United States?—A. In the fall of 1870.

Q. Was that in the same court in which you received your final papers?—A. Yes.

Q. Are you sure this was in the first year you came to the country?—A. Yes.

Q. Have you ever made any attempt to secure a copy of your naturalization certificate from the court which granted it?—A. Yes.

Q. What effort did you make?—A. I told Mr. Sewell, the American consul general at Apia about it and he wrote to the court.

Q. Did he get a reply?—A. Yes, he showed it to me.

Q. Do you know where that is now?—A. No.

Q. Do you remember what this reply contained?—A. Yes. It said that the courthouse and all the records had been burned down and therefore they couldn't furnish such copy.

Q. Did you make any further efforts to establish your American citizenship?—A. Yes. I wrote to a lawyer named Grey in Cherry Creek, Nev., and sent him an affidavit about the facts, to see if he couldn't get a new paper from the court.

Q. Did you get a reply?—A. Yes, he sent me a letter signed by William Laurenson, dated July 12, 1888, on paper bearing the heading "County clerk's office, White Pine County, Nev. Wm. Laurenson county clerk."

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Q. I show you this paper and ask you what it is?—A. It is the letter I have just spoken of—from Mr. Laurenson.

Q. I shall mark this "Exhibit A" and attach it to your deposition if you have no objection to my taking it to Washington.—A. All right.

Q. What other efforts did you make, if any?—A. I caused a notice to be published in the White Pine News, asking for the whereabouts of the witnesses who testified for me when I was naturalized. These witnesses were Charlie Dunbar and Cale Whiting.

Q. Was there any response to this advertisement so far as you know?—A. None. They were both pretty well along in age when I left and I suppose they were dead when I advertised.

Q. Did you ever vote in America?—A. No, I was engaged in mining and building and moved around so much that I was never in a place long enough to vote.

Q. What official position, if any, have you ever held, as an American?—A. In 1889 United States Consul Blacklock appointed me as the American commissioner on the commission of three men appointed to lay out the boundary line of the Apia municipality.

Q. Have you ever since your naturalization declared allegiance to any other Government?—A. No.

Q. Have you ever done anything to cause you to lose your American citizenship?—A. Not that I am aware of.

Q. Is your residence in Samoa temporary or permanent?—A. Permanent.

Q. You have no intention of going to the United States to live?—A. No; I think not, though I should like to go there for a time if I could afford it. My eldest son is living in San Francisco.

Q. Were you living here in Apia in the months of March, April, and May, 1899?—A. Yes, and before and after.

Q. What happened here during these months of an unusual nature?—A. The bombardment. I was ordered out of my premises. This was followed by war between Mataafa and the Americans and British.

Q. What was your occupation at that time?—A. Builder and contractor.

Q. Of what country were you then a citizen?—A. Of the United States.

Q. Was any of your property injured or destroyed during that time?—A. Yes.

Q. State, by items, such of your property as was so destroyed or injured, giving the value of each article destroyed and the amount of damage done to each article damaged.—A. I have a list which I made on May 28 last. copi d from a list which I made out and handed to Mulligan just after the war.

Q. I show you this paper and ask you what it is?—A. It is a list of all my property which was injured or destroyed during the war of March, April, and May, 1899, giving the values and shows all of my losses sustained.

Q. I shall mark this "Exhibit B" and attach it to your deposition, if you have no objection to my taking it to Washington.—A. All right.

Q. What real property did you have at this time?—A. Two dwelling houses and a carpenter shop here in Apia and a lumber shed, cart house, also in Apia, and a plantation about 4 miles out, at Tunaimato.

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Q. You appear to have put in a claim for losses to American Consul Osborn on May 17, 1899, for a total of about $1,900, and on July 13, 1899, to have sworn to a claim before J. A. Denvers, clerk of the supreme court at Apia, for a total of $2,434.98. How do you account for that?—A. Because I didn't put down all of my losses on the first claim. It was impossible to think of them in the first day or two after the war.

Q. Had you visited your plantation when you made up your first claim?—A. Yes; I went out there as soon as I could leave Mulinuu. This was a day or so after the commission came—no; this was a misunderstanding; I meant to my Apia place, not to the plantation.

Q. Had you then been to your plantation before you made your first claim?—A. No; the place was occupied by the natives for some time afterwards.

Q. How many claims did you make out altogether?—A. Two; one I handed to Consul Osborn and one to Mr. Mulligan.

Q. In the claim which you appear to have made to Consul Osborn, dated May 17, 1899, you appear to have claimed $1,577 for damages to your plantation. If you hadn't then been there how did you make up this claim?—A. Just estimated it, I guess.

Q. This claim seems to be completely itemized. How do you account for that?—A. I don't know; I may have been there before this time.

Q. Your present claim amounts to $2,773.25, as you have figured it. How do you account for this increase as over the claim you made before Mr. Mulligan?—A. There is an item here for extra living expenses which I didn't include in the Mulligan claim.

Q. Just what items are those?—A. Fifty-two working days, at $5—$260—and extra for board and lodging, $182.

Q. I show you a copy of Mulligan's claim, showing that you charged $260 for 52 working days. How, then, do you account for this discrepancy?—A. I don't know, except that Mr. Mulligan might have made a mistake in copying what I handed to him. The copy which I now present is a copy of what I handed to Mr. Mulligan, not of one he gave me. I got none from him.

Q. When did you buy your plantation property?—A. About 1896.

Q. How much did you pay for it?—A. £3 10s. an acre for 36 acres.

Q. What was the condition of the land when you bought it?—A. All bush land.

Q. Did you live there at all?—A. No.

Q. What did you do with the place after you bought it?—A. The first year after I bought it I had 15 or 16 acres cut down and planted with coconuts, cocoa, taro, yams, sweet potatoes, kava, and coffee and orange trees.

Q. Did you have all this planted the first year?—A. The most of it—the balance in the second year.

Q. Were these trees all planted in together?—A. The coconuts were planted in together with the cocoa.

Q. What was planted separately?—A. Taro.

Q. How much?—A. Two acres.

Q. What else?—A. Kava.

Q. How much?—A. About 2 acres, and about 2 acres of yams. There was also about one-half to an acre of oranges, and about 2 acres or a little more of coffee.

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Q. How many coffee trees to the acre?—A. I never counted them before the war.

Q. How many orange trees to the acre?—A. I don't know.

Q. Did you have a house on the place before the war?—A. Yes.

Q. What size?—A. 16 by 24 with veranda, 2 rooms.

Q. When was that built?—A. The first year after I bought the land.

Q. How much did it cost you?—A. $450 to $500. Had to carry the lumber out by hand as there were no roads.

Q. When did you last see this place before the war?—A. About two weeks.

Q. How much bananas did you have on the place?—A. Planted in patches here and there. Might have been 3 acres. Didn't put in any claim for these as they come up again in six or seven months and bear, after being cut down.

Q. In your claim you charge for 3 acres of bananas $75. How do you account for that?—A. Don't remember putting that down.

Q. How old were these full-bearing coconut trees?—A. They were there when I bought the place.

Q. Then it wasn't all bush?—A. No; there were clearings in the bush where the natives had planted coconuts.

Q. To whom did these saddles belong for which you have charged?—A. To me and my wife.

Q. Are you charging for these what you paid for them?—A. Yes.

Q. How long have you had the saddles?—A. Two years, maybe more.

Q. Are you charging for the other items of your plantation damaged what they cost you?—A. What would have cost to replace them.

Q. Where were your dwellings in town?—A. Up the Tivoli road a hundred yards or so from the Tivoli Hotel.

Q. Did you remain in your house in Apia during the war?—A. No; we were ordered out, on account of the bombardment, I suppose.

Q. When did you go back to your house?—A. A little over two months afterwards.

Q. What condition did you find when you got back?—A. Almost everything was gone, except two beds, a wardrobe, and a sewing machine and a table.

Q. Did you leave your house locked up?—A. Yes; but the natives from Pago Pago, who had been brought over by the British men-of-war, were camped around my house during the war, and they afterwards acknowledged to me that they had broken into my house and taken the things out. They also said they had broken into my carpenter shop and taken the things out of there. They offered to sell me some of my own chairs which they had taken away. These were of the Malietoa party.

Q. Are you claiming for damages done to the furniture in both your houses in Apia?—A. No; only the one I was living in. I had the other house rented.

Q. In your claim, are you charging for what the various articles cost you?—A. Yes.

Q. How long had you had these things?—A. Not very long. Some of my chairs were new.

Q. And as to the age of the tools?—A. Some I had had for several years and some were almost new.

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Q. Did you lose any property in the first or January war of 1899?—A. No; I was in the house then.

Q. Weren't there guards around your property during the second war?—A. No; they were only on the beach. Once the guards came back there with a machine gun, so I was told, and shot right into the bathhouse and cookhouse, thinking there were Mataafa people concealed around there.

Q. How did you estimate the items of damage to the bath and cook house?—A. Charged for the lumber, material, and labor to replace them as they were before.

Q. Did you ever recover any of the property lost at this time?—A. Only two chairs, for which I had to pay the natives who held them something like $2 each.

Q. Did you ever receive any compensation from any person or Government on account of these losses?—A. No.

Q. Did you take any part, directly or indirectly, for or against any party or faction in this war?—A. Never.

Q. Were you strictly neutral during this war?—Yes.

Q. What wages were you receiving as a carpenter just before the war?—A. Usually $4 a day, but I was mostly contracting for buildings and made more than that.

Q. Did you own all the furniture which was on your plantation house at this time?—A. Yes.

Q. Didn't the man who lived there have any of his own furniture there?—A. No; he was a native and had no furniture.

Q. How about crockery, knives, and forks, etc.?—A. They were all mine. We used to go up there Sundays and use these things.

Q. What arrangement did you have with him?—A. I simply hired him for $10 a month and food.

Q. Didn't he have any interest in the produce?—A. No; it was all mine.

Q. Is there anything else you care to say about this case?—A. No; only I don't remember giving Mr. Osborn an itemized statement of my losses.

The WITNESS. I want to say after talking to my missus (wife) this noon that I made a mistake in saying that the taro, kava, yams, and coffee were planted separately. There were coconut trees planted all through them. We could do this as long as the coconut trees were young and small. When they grew larger we would leave out these other things.

BARNIM PEEMULLER:

Q. Where did you live in March, 1899?—A. Tuanaimato, about 4 miles west of Apia.

Q. Did you know Peter Paul at that time?—A. Yes.

Q. Where did he live then with reference to your place?—A. Just adjoining.

Q. What happened at that time of an extraordinary nature?—A. The Mataafa people were fighting against the Tanu people and the English and Americans go together with the Tanu people.

Q. What property had Mr. Paul on this place just before the war?—A. He had a house built of lumber, European, don't know how large—24 or 34 feet long—with a veranda, and one room deep. Think he had cocoa and coffee trees also. He had some fruit trees, too. I don't remember what else.

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Q. Did you stay on your place all through the war?—A. Until the battle at Fagalii, a little after April 1st—the 2d or 3d—after which I came to Apia and stayed until the war was finished.

Q. Did you see any damage to Mr. Paul's place before you came to Apia?—A. I saw plenty of the Mataafa people camping on the place—hundreds; and they cut down the cocoa trees—can't tell how many. They built bush houses there and made room for them by cutting the trees.

Q. When you returned to your place after the war, did you inspect Mr. Paul's place; and if so, when?—A. Yes; I went with Mr. Paul to see his damages a very short time after the war.

Q. What did you see in the way of damages?—A. I remember Mr. Paul showed me the stumps of trees which had been cut down, but I can't remember now what kind of trees they were. There were plenty of trees cut down.

Q. Did you see any other damage?—A. Can't remember.

Q. Do you know how long Mr. Paul had owned this place before the war?—A. I think two or three years; think he bought it in 1897.

Q. About how large was the place?—A. Think about 40 acres, probably 8 to 12 acres planted.

Q. Do you know whether any damage was done to Mr. Paul's place in the first war?—A. I can't tell.

Q. Can you tell anything now about the value of the property of Mr. Paul which was damaged or destroyed in the war of March and April, 1899?—A. I can't tell now.

Q. Have you any interest, direct or indirect, in this claim?—A. No.

Q. Were you engaged in raising cocoa in March, 1899?—A. Yes.

Q. And knew the values of cocoa trees of various ages?—A. Yes.

Q. What, in your opinion, was the value in March, 1899, of a 1-year-old cocoa tree?—A. That's hard to say; but I should think 3 or 4 marks.

Q. Is there anything more you care to say about the case?—A. No.

OLUFF RUBACK:

Q. How long have you lived in Apia?—A. Been living here all the time since 1891, and was sailing out from here for a number of years before that.

Q. Where did you live in March, 1899?—A. On the Vailele plantation, just outside the municipality.

Q. Did you know Peter Paul at that time?—A. Yes.

Q. What happened in that month of an unusual nature?—A. There was a war on between Americans and English helping Malietoa and Mataafa on the other side.

Q. Do you know what property Mr. Paul had at that time?—A. Yes; he bought a place on the Fuluasou River at the same time as I did or a few months later. This was in 1894 that he bought his place.

Q. How large was his place?—A. About 40 acres.

Q. Was it cultivated when he bought it?—A. No; all bush.

Q. What did he do in the way of improvements on this place?—A. Right after he bought it he started clearing the land, and right away cleared about 15 acres.

Q. Did he plant on all these 15 acres?—A. Yes; he planted all right away in coconut, coffee, cocoa, and fruit trees.

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Q. Do you remember how many acres of each he had when the war broke out?—A. The trees were all planted in together—that is, there were rows of cocoa, coffee, and fruit trees in between the rows of coconuts.

Q. Could you tell about how many trees he had of each?—A. No.

Q. How long before the war did you see his place?—A. Saw it every week, once or twice, from the time he bought it until the war broke out.

Q. What else did he have on the place at this time?—A. He had a wooden house of rwo rooms.

Q. Did he live there himself?—A. No; he lived in Apia.

Q. Anything else on the plantation of Mr. Paul's then?—A. There was a fence of wire about the whole place.

Q. Anything else?—A. A big taro patch—don't remember how large—and there were also banana trees—don't know how many.

Q. Do you remember anything else?—A. No.

Q. When did you first see the place after the war?—A. I went there on the Sunday after the battle of Fagalii.

Q. Just describe the condition of the place then.—A. A lot of the coconut trees were pulled down and the heart taken out for food.

Q. Do you remember about how many?—A. Nearly all of them. Part of the native forces of Mataafa were camped on Paul's place and mine during the war.

Q. What else did you see?—A. The doors were all broken in, and the windows were all gone. Nothing whatever was left in the house.

Q. Anything else?—A. All the coffee and orange trees were cut down, and the cocoa trees were all gone. The fences were all down and some of the wires were taken away.

Q. Do you remember about how much of the wire was gone?—A. That I can't tell.

Q. Anything else?—A. The place was swept clean—no live stock or anything else left—nothing but the house.

Q. Were the fence posts gone?—A. Yes.

Q. Were you raising coconuts in 1899 before the war?—A. Yes.

Q. And do you know what were the values of such trees then?—A. Yes.

Q. What, in your opinion, was the value of a 2-year-old coconut tree in 1899, before the war?—A. $5.

Q. What, in your opinion, was the value of a 5-year-old coconut tree at that time?—A. $10.

Q. Were you at this time raising cocoa?—A. Yes.

Q. And knew the values of the trees?—A. Yes.

Q. What, in your opinion, was the value of a 2-year-old cocoa tree at this time?—A. From $1 to $2.

Q. Did you raise coffee at this time?—A. Yes.

Q. And did you know the values of the trees?—A. Yes.

Q. What, in your opinion, was the value then of coffee trees, 2 years old?—A. $1 to $2.

Q. Have you any interest, direct or indirect, in this claim?—A. Nothing whatsoever.

Q. Is there anything more that you care to say about it?—A. No.

Q. Do you know whether any damage was done to Mr. Paul's place in January, 1899, or at the time of the so-called first war of that year?—A. No damage was done there then.

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PETER PAUL—CLAIMANT'S EXHIBIT A.

J. R. B., vice consul, U. S. A.

COUNTY CLERK'S OFFICE,
WHITE PINE COUNTY,
Ely, Nev., July 12, 1888.

FRIEND GREY: Inclosed find P. Paul's affidavit. Of course I can do nothing on it. Last year Fitz issued final papers in a similar case—where the papers had been lost and the record destroyed—on a showing that the applicant had registered and voted, and had exhibited his papers when so registering, and also on the testimony of one of his original witnesses.

The regular proceeding to restore a destroyed record is tedious and expensive, but if Mr. Paul will get a certified copy of any register where he voted under these papers, and get the evidence of his witnesses, it is likely that the judge would issue new papers to him. I suppose from this affidavit that Paul is in Samoa; if so, I think he would have to get a certificate to attach to his own affidavit to show that the person before whom he made the affidavit was occupying the office alleged and was authorized to take affidavits.

Yours, truly,

WM. LAURENSON.

PETER PAUL—CLAIMANT'S EXHIBIT B.

J. R. B., vice consul, U. S. A.

APIA, *May 28, 1911.*

Damage cost by the combined forces of the American and British Navy in the month of March, 1899—Goods stolen by natives of Samoa.

(1)	1 bag sugar	$5.00
	1 case soap	6.00
	Meats	8.00
	Knives, forks, and spoons	10.00
	2 blead irons	3.00
	Plates, cups, and saucers	12.00
	1 cooking stove damaged by bullets	12.00
	3 Samoa mats	25.00
	6 dining chairs	12.00
	Cooking utensils	25.00
	Clothing	40.00
	Damage bathhouse	25.00
	Damage cookhouse	30.00
(2)	Tools stolen out of the carpenter shop:	
	1 Rosewood smoothing plane	3.00
	1 iron plane	2.50
	1 wooden jointer	2.25
	1 iron jointer, 24 inches	5.00
	1 pair of tin snips	3.50
	1 sliding bevel	1.00
	4 socket chisels	4.00
	½ dozen standard drawer locks (brass)	12.00
	1 pair of dividers	1.25
	2 bell-faced nail hammers	4.00
	1 level (new)	3.00
	1 measuring tape, 100 feet long	4.00
	1 measuring tape, 66 feet long	2.50
	4 pieces of oilcloth, buggy covering	12.50
	400 feet Kaweri lumber	40.00
	2 hand axes	3.50
	2 axes	3.50
(3)	2 hand lamps	1.50
	1 caster	2.00
	1 case kerosene	3.00
	2 dozen bars soap	1.50
	2 carving knives and forks	6.00
	1 bag rice	3.50
	2 tins of cabbage	.75
	1 steel	1.00

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(3)	1 oval boiler	$2.50
	4 water buckets	4.00
	1 kerosene stove	4.50
	1 fishing net	2.50
	1 table cover	6.00
(4)	Plantation:	
	17 full-bearing coconut trees, at $15	255.00
	300 coconut trees, planted three years, at $2	600.00
	150 cacao trees, at $1	150.00
	2 acres of taros	50.00
	2 acres of yams	45.00
	1 acre of sweet potatoes	25.00
	1 acre of Samoa kava	24.00
	100 coffee trees, at $2	200.00
	16 mandarin oranges, at $1.50	24.00
	12 naval oranges, at $2	24.00
	1 horse	50.00
	1 horse	45.00
	40 fowls, at 50 cents	20.00
	1 saddle	25.00
	1 lady pigskin saddle	45.00
	1 iron bedstead	15.00
	1,000 feet of American lumber	60.00
	25 sheet roofing iron	21.00
	2 windows, at $3	6.00
	1 standing lamp	1.50
	2,000 yards fencing wire	11.00
	20 pounds galvanized nails	2.00
	3 acres of bananas	75.00
	3 acres of pineapples	75.00
	3 padlocks	2.25
	1 fowling piece	15.00
	1 kava bowl	5.00
	6 spates, at $1.50	9.00
	1 pickaxe, at $2	4.00
	6 plantation knives, at $1	6.00
	4 axes, at $1.50	6.00
	2 crowbars, at $2.50	5.00
	½ dozen knives	2.25
	½ dozen dinner plates	1.50
	1 grindstone and frame	6.00
	½ dozen cups and saucers	1.50
		2,331.25
From 15th March, 1899, to 15th of May, 1899, as I was not allowed to come from Sogi to my house:		
	52 working days, at $5	260.00
	Extra for board and lodging	182.00
		2,773.25

PETER PAUL—COMPLAINANT'S EXHIBIT C.

J. R. B., vice consul, U. S. A.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA.

Apia, Samoa, August 10, 1897.

This is to certify that I have this day on the voluntary application of the person within named entered his name on the registry of American citizens maintained in this consulate general, folios 12 and 13, registry No. 84, adding thereto the following particular items:

Name, Peter Paul.
Place of birth, Baierthal, Grand Duchy of Baden.
Date of birth, June 27, 1849.
Last place of residence in the United States, San Francisco, Cal.

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Date of last leaving the United States, February 20, 1878.
Court of naturalization, Hamilton, White Pine County, Nev.
Date of naturalization, 1875.
This entry is in correction of an omission made by Consul General Sewall, it being sworn to my satisfaction that Mr. Paul has been always regarded as an American citizen. (See Records D. 6, fols. 572–576, and this volume, fol. 108, No. 55.)
In witness whereof I set my hand and have caused to be affixed the seal of this consulate general the day and year first above mentioned.

WILLM. CHURCHILL, *Consul General.*

NO. 17. ALEXANDER A. WILLIS AND WIFE.

LAULII WILLIS:

Q. Where were you born?—A. Apia, Samoa.

Q. State whether or not you are a citizen of the United States.—A. I am.

Q. How did you become a citizen of the United States?—A. By marrying Alexander A. Willis.

Q. Is he the original claimant in this case?—A. Yes.

Q. Where and by whom were you married to Mr. Willis?—A. In Apia, by British Consul Gray, about 30 years ago. Mr. Willis was then a Britisher. About two years later we went to the United States and stayed there eight years.

Q. Was Mr. Willis naturalized in the United States during this time?—A. Yes; after he had been there five years.

Q. Do you know in what place he was naturalized?—A. Yes; in San Francisco.

Q. Have you your husband's naturalization certificate?—A. I think it is in Pago Pago.

Q. Is Mr. Willis living or dead?—A. He died six or seven years ago.

Q. Did you live with him up to the time of his death?—A. Yes; we were living in Pago Pago, and he came over here for a short trip and died.

Q. State whether or not he remained an American citizen up to the time of his death.—A. Yes; that's why we went to Pago Pago.

Q. Have you remarried since the death of Mr. Willis?—A. No.

Q. After you lived in the United States eight years, as you have stated, where did you go?—A. We went to Honolulu for a year, then back to San Francisco, stayed there five years, then Mr. Willis came to Apia and stayed two years while I stayed in America; then I came here and we lived here another year; then we went back to the United States and stayed nearly four years, and then we both came to Apia and stayed in Samoa nearly 10 years.

Q. Where were you living in March, 1899?—A. In Moototua, Apia.

Q. What business was Mr. Willis in then?—A. He was a contractor and foreman for the German firm.

Q. What property did he own in Apia at that time, if any?—A. This place where we lived—about 6 acres. He bought this place for me in my name.

Q. What buildings were there on this place?—A. There was a European house of six rooms besides a big kitchen.

Q. Was that the only building on the place?—A. Yes.

Q. You seem to have put in three claims. Are you able to state what they are for?—A. The largest one is for our Moototua property, the next largest is for tools belonging to Mr. Willis, and the other is for a house which my brother who died left me.

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Q. What other buildings, if any, did you have on your Moototua property?—A. We had a fowl house and a place for pigs.

Q. What live stock did you have on the place at the time of the war?—A. I think about 75 chickens. They were all imported from New Zealand. There were 3 or 4 large pigs and a quantity of small ones; I don't remember how many; 3 milking cows and 1 heifer, and 1 horse.

Q. What furniture did you have in the house?—A. Some chairs and tables, I forget how many; a big kitchen range, the best on the island; dishes, cooking utensils; 4 bedsteads, 2 double and 2 single; bureau, washstand, sofa. Each bedroom was furnished throughout. There was a big dining-room table, and bookcase, whatnots. Most of the furniture was of American make.

Q. When did you leave this place, with reference to the war?—A. Before the first bombardment. The admiral sent word to us to leave, and we moved down to Apia and stayed there all through the war.

Q. When did you go back to the place?—A. When the war was finished.

Q. What did you see there then?—A. The house was full of bullet holes, the stove was all broken up, and the big water tank was full of holes, and so was the provision safe. Everything that was in the house was either broken to pieces or gone. The buggy house was torn to pieces.

Q. Was any damage done to the house itself?—A. The front door was cut down; some of the window glasses were broken. I want to say that the bookcase in the house was not damaged except that the glass in the doors was broken, and Mr. Willis repaired it so we used it afterwards. We also found the dining table afterwards on the bank of the river and repaired it and used it. The stove we fixed up so we could use it some, but it was never good again. Mr. Willis fixed up the provision safe so we could use it. He was a carpenter. That's all of the furniture we could ever use again.

Q. Do you know what was the cost of these buildings you have described or the amount of damage which was done them?—A. No.

Q. Do you know what was the value of any of the other property which you have described?—A. Only of the pigs, horse and cattle, and chickens.

Q. What do you say as to the chickens—their price?—A. Mr. Willis paid for them from 60 cents to $1 each.

Q. What do you say as to the value of the cows?—A. I bought two of the cows from Mrs. Robert Louis Stevenson about six months before the war and paid her $60 each. The other cow was imported from New Zealand, and have forgotten how much I paid for it; don't know her age, but the heifer was hers, her first calf, and was then 2 or 3 weeks old.

Q. What do you say as to the value of the pigs?—A. The large ones were worth $40 or $50 each. I sold some of the same kind for $50 each just before the war. They were imported from New Zealand.

Q. What do you say about the value of the horse?—A. Mr. Willis bought it for $100 or $150. Don't know how long we had had it before the war nor how old it was at that time.

Q. To whom did all this live stock and furniture belong at the time of the war?—A. It belonged to me. Mr. Willis bought them and

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gave them to me. He said that as soon as any of these things came inside the fence around our place it belonged to me.

Q. How much damage are you claiming on your Moototua property?—A. I don't know. You must fix that up yourself.

Q. Was any damage done to this property during the war except as you have stated?—A. Yes; a number of mango, cocoa, and other trees were cut down; perhaps half a dozen in all. My rose beds and flowers were also destroyed. The natives dug up our place and built forts. They also broke down the wooden fence in front of our place.

Q. Your husband appears to have put in a claim for some tools lost. Do you remember anything about them?—A. Yes; they were in the buggy house on our place; they were carpenter's tools. He had a workshop here and used these tools in it.

Q. Do you know anything more about what these tools were, or their value?—A. No.

Q. I suppose you don't claim to have owned these tools?—A. No; they were Mr. Willis's.

Q. What happened to these tools during the war, if anything?—A. They were all taken away by the Malietoa people. They considered me one of the Mataafa people, and so took everything of mine they could get.

Q. Do you claim to have had other property damaged or destroyed during the war?—A. Yes; a big Samoan house of mine was behind the drug store below the Tivoli Hotel, and it was all taken down and carried away. I saw this with my own eyes. It was done by the Malietoa party.

Q. How did you become the owner of this property?—A. It belonged to my brother who died in San Francisco before the war, and he willed this place to me. There was behind this Samoan house a European house of four rooms which belonged to me.

Q. Was this European house damaged during the war?—A. The veranda railing was all broken down, and the picket fence in front was taken away, and the wire fences on the sides and back were broken down.

Q. Did you have this European house repaired after the war?—A. Yes. Mr. Willis put his men to work on it.

Q. Do you know how much it cost him to make these repairs?—A. No.

Q. Do you know how much your claim is for damage to this property in Apia?—A. I can't tell. Whatever you say.

Q. Did Mr. Willis leave a will when he died?—A. Yes.

Q. What did you do about this will?—A. I gave it to the judge and the governor at Pago Pago.

Q. Is there anybody here in Apia now who knows about these losses you have described?—A. Yes; H. J. Moors and Peter Paul.

Q. Is there anything more that you care to say about this claim?—A. No.

(The witness was here instructed to furnish Mr. Willis's naturalization certificate and a certified copy of his will.)

Q. Of what country was Mr. Willis a citizen at the time of the war?—A. Of the United States.

Q. What happened to this live stock which you have stated was on your Motootua place?—A. It was all taken away during the war.

Q. Did you ever recover any of this property which you have said was taken away?—A. Not a single thing.

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Q. Have you ever directly, or indirectly, received any compensation for any of this property, or did your husband so far as you know?—A. Not a single cent.

Q. What kind of wood was this Samoan house built of which you have stated you lost?—A. Of breadfruit.

Q. What was the size of this house?—A. It was one of the largest sizes—called the faletele, or guest house.

EDWARD HALL:

Q. Where did you live in March, 1899?—A. At the home of A. A. Willis in Moototua, Apia.

Q. Did you remain there through the war?—A. No, we left there a few hours before the first bombardment started when some officers notified us of the bombardment, and we came down town and stayed all through the war.

Q. What did you take with you when you left the house?—A. Some boxes of clothes, some vases and dishes and little things of that kind which could be easily carried. We also moved out a fancy bookcase. That is about all I remember that was moved.

Q. Did you have a wagon there to move these things?—A. Yes.

Q. Didn't you take anything else?—A. I think a couple of rocking chairs. We also took away a buggy.

Q. Where did you take these things to?—A. To Apia to Mr. Blacklock's place.

Q. Didn't you take any horses away from the place?—A. One I am sure of—am not certain about one horse—think it was found afterwards, and one was left and never found.

Q. Please describe briefly the house in which Mr. Willis lived?—A. It was a wooden, European house of eight rooms—sitting room, four bedrooms, dining room, kitchen and storeroom, besides a cellar for keeping provisions.

Q. Were any other buildings on the place?—A. A buggy house, partitioned off to make a tool room for Mr. Willis, who was a carpenter and architect.

Q. Were all of the rooms in the house furnished?—A. Yes.

Q. Do you remember about the quality of the furniture?—A. The dining room and sitting room were well furnished, can not say as to the number of articles. In the sitting room there was a set—sofa, chairs, and tables, all the same. The sofa was covered with imitation leather and the chairs with red plush. Each bedroom had an iron bedstead. That is about all I remember.

Q. Do you remember what Mr. Willis had in his tool room?—A. No, he kept that place locked, but I know he used to do his drawing in there and kept plans of houses there.

Q. Do you mean to say that all of the things which were in the house you left there on the day of the bombardment except as you have stated?—A. Yes; except it may have been some little things.

Q. Did Mr. Willis take his tools away with him on the day of the bomdardment?—A. No, he was at his place of employment, with the German firm, and did not get up to his place. Think we met him as we were coming down.

Q. Were you up at this place during the war?—A. Yes, I think I was up there once.

Q. Did you notice that any damage had been done at that time?—A. No, I can not say that I did.

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Q. Were there any of the natives camped around there then?—A. No; further back.

Q. When were you there again?—A. As soon as the war was over.

Q. What was the condition of the place then?—A. The chickens and pigs we had left there were all gone, and the house was all open.

Q. How about the furniture?—A. The mattresses and pillows were cut up, and one small bedstead was broken so it could not be used again. Some of the chairs were broken, but I can not say how many. The crockery was about all gone. Two windows were broken.

Q. Had any damage been done to the buggy house?—A. Pieces of the door were chopped off by axes and a lot of molding which had been in there was destroyed, used for firewood, I suppose.

Q. How about the tool room?—A. That was open; I can not say what was taken from it, but I saw that some of the things were still in it.

Q. Any damage to the dwelling house itself?—A. Nothing but broken locks on the doors and two windows broken.

Q. Do you recall any other damage to the place?—A. No.

Q. Do you remember anything as to the number of the chickens or pigs which were on the place when you left it, as you have stated? A. About 40 or 50 chickens, I suppose, and from 14 to 20 pigs.

Q. How about the size of the pigs?—A. There were 8 or 10 big ones, and the rest were small.

Q. Was all of the live stock left on the place when you abandoned it?—A. Yes; and some cattle, too.

Q. Do you remember hom many cattle?—A. There were two milking cows, two heifers, and a calf.

Q. Had all of these disappeared when you went back?—A. One cow and one calf were lost and never found. One cow we sold to the man of war, the others we found afterwards in the bush.

Q. Is there anything more you care to say about the case?—A. No.

Q. Are you related to Mr. and Mrs. Willis, the claimants?—A. No; but my wife is a counsin of Mrs. Willis.

Q. Have you any interest in the claim, direct of indirect?—A. No.

Q. Do you know who did the damage?—A. I think it was the "friendly" natives, because the Mataafans had been there when we were at the place during the war and had done no damage. Afterwards the natives from Tutuila were camped there, and I think they did the damage. This was during the latter part of the war.

Q. Do you know anything about the value of any of the property that you have stated was damaged or destroyed?—A. No; I could not say.

A. T. WILLIS:

Q. What is your name, age, and residence?—A. Alexander T. Willis; 29; Pago Pago.

Q. Where did you live in March, 1899?—A. In Motootua, Apia, at the house of A. A. Willis.

Q. Do you remember the war that took place then?—A. Yes.

Q. Do you know anything about any property of Mr. and Mrs. Willis that was damaged or destroyed in that war?—A. Everything that we had in the house except a little clothing was destroyed. We got word at 12 o'clock noon on one day that the bombardment was to start at 1 o'clock in the afternoon and we all left.

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Q. When did you see the place again?—A. When the war was over and everybody was free to go back to their homes.

Q. What did you see when you got back there?—A. The place was a wreck—the windows were broken and some of the doors and the veranda posts chopped. All of the furniture had been carried away except a few broken pieces lying outside.

Q. What furniture was in the house before the war?—A. There were seven rooms in the house, four bedrooms, sitting room, dining room, and large kitchen, and all were furnished. There were chairs, tables and beds, and all other usual furniture, but I can not remember exactly what number of pieces there were.

Q. Do you know anything about the age of the furniture or its material?—A. All the furnishings were not bought at one time. We had only been in this house about two years, and all but about one or two beds had been bought after we moved into this house. Do not know about the material.

Q. Do you know anything about the cost of the furniture?—A. No.

Q. Was there anything else on the place before the war which was damaged or destroyed?—A. Yes; quite a number of chickens and several imported pigs, and some Jersey cows. Of the cows, four were bought originally and they had had several calves. There were also saddles and harnesses, and I am certain one horse was lost, and I think two.

Q. Do you know anything about the value of these articles?—A. No. One horse was an imported horse I know.

Q. Is there anything further you know about the case?—A. I know Mr. Willis lost a considerable number of tools.

Q. Where were they?—A. On our place.

Q. Do you know what they were?—A. One was a circular saw, one a band saw; they were not taken, but were battered up so as to be useless. There were also a tool chest and also a lot of tools outside of it.

Q. Did he keep all of his tools at home?—A. He had just started working for the German firm when the war broke out and part of the tools had been moved down there, but the biggest part of them were at home.

Q. What was he doing for the German firm?—A. Working as a carpenter.

Q. And had he been a carpenter long?—A. As carpenter and architect ever since he had been in Samoa.

Q. Is there anything more you care to say in the matter?—A. There was a paling fence in front of the house, and the Malietoa people broke this down, and there was a wire fencing on the rear and on both sides and this was thrown down. They also cut down the banana and pineapple plants.

Q. How large a place was this?—A. We had 7 acres of our own and also had 14 under lease.

Q. What did you have planted there?—A. About half of the 7 acres was planted in bananas, pineapples, breadfruit, oranges, and all other fruit trees. The whole 7 acres was planted in coconuts.

Q. Were any of these trees damaged in the war except the pineapples and bananas?—A. A few of the others, not many.

Q. How do you know the Malietoa people did this damage?—A. I was out at the place about a week before the "friendly" natives from

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Tutuila were brought to this place by the British and Americans and did not see any damage to the place which had been done then.

Q. How long was this after the war started?—A. Not quite sure, but the war had been in progress about three weeks. It was the day that Tanumafili was proclaimed king. I was sent out by the British and Americans to nail up proclamations of this.

Q. But you did not see the place again until the war closed?—A. No; but I have since been told by some of the Tutuila natives that they stayed on our place during the war and that they took our furniture out and used it in their trenches.

Q. Anything else?—A. That is about all I can think of.

Q. What relation are you to Laulii Willis, the claimant?—A. She is my aunt, but I was adopted by her and Mr. Willis in San Francisco, Cal.

A. A. WILLIS AND WIFE, EXHIBIT A.

J. R. B., vice consul, U. S. A.

No. 19–1903. United States naval station, Tutuila. In the high court held at Fagatogo. Probate jurisdiction. In the matter of the estate of A. A. Willis (deceased).

PROCEEDINGS.

September, 30, 1903. Application by Mrs. Willis, widow of deceased, for E. Mooklar to be appointed administrator.

October 1, 1903. Appointment of E. J. Mooklar as special administrator.

September 17, 1904. Receiving returns of special administrator, filing same, issuing release to administrator.

I, the undersigned, do hereby certify that the above is a true and complete copy of all the entries in cause No. 19–1903, probate jurisdiction as they appear in the court records of the United States naval station.

Dated this 4th day of August, 1911.

[SEAL.]

O. S. BOLING,
Clerk of the high court.

NO. 18. JOHN BRUCE.

JOHN BRUCE.

Q. Where were you born?—A. In Apia.

Q. State whether or not you are a citizen of the United States?—A. I am.

Q. How did you become a citizen?—A. Through my father, who was born in the United States—I don't know where.

Q. Where was your mother born? A. In Samoa.

Q. Was she a Samoan by blood?—A. Yes.

Q. Were your father and mother married?—A. Yes.

Q. Have you any evidence of this?—A. No. All his papers were lost at the time of the war.

Q. Had he died before then?—A. Yes.

Q. Did you ever register as an American citizen in the American consulate at Apia?—A. Yes; some time before the war.

Q. What was your father's name?—A. John Bruce.

Q. Have you ever declared allegiance to any country except the United States?—A. No.

Q. State whether or not you have ever done anything to cause you to lose your United States citizenship?—A. I have not.

Q. Were you in Apia, Samoa, during the months of March, April, and May, 1899?—A. Yes.

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Q. What happened then, if you remember anything?—A. A war between the men off the English and American men-of-war and the natives.

Q. What was your business at that time?—A. A baker.

Q. Of what country were you then a citizen?—A. The United States.

Q. Was any of your property damaged or destroyed in this war?—A. Yes; my house property—three-roomed lumber house about 40 feet long by 18 feet wide.

(At this point Caroline Johnston was duly sworn as interpreter, the witness's replies not being very intelligible.)

A. The American guards took half of my house and put it in front of the Catholic cathedral, on the beach to stay in. They also smashed down the other half of the house.

Q. Where was this house?—A. In Matafele, Apia, back of Mr. Dean's place, which is on the beach.

Q. Did you suffer any other damage?—A. Yes, all of the things which were in the house were all taken.

Q. What was there in the house?—A. Three boxes of clothes, a big safe for dishes and provisions, 4 tables, 8 chairs, 1 bedstead, 1 hanging lamp and 2 table lamps, 30 common mats, 3 fine mats. That's about all. The kitchen, about 16 feet square, was all broken down and all the cooking utensils taken.

Q. Do you know anything about the values of these properties?—A. The house, which I built myself, and all the things in it, which I bought myself, cost me between $400 and $500.

Q. State whether or not you have ever directly or indirectly recovered any of this property?—A. No.

Q. Didn't you get back that half of the house which was moved to the beach?—A. No; when the Americans left, the natives broke this up. I also had a big Samoan house, and the main posts and thatch were taken away from this during the war.

Q. State whether or not you have ever received any compensation from any person or Government for this damage?—A. No, I have not.

Q. State whether or not you took any part in this war yourself?—A. I went with the American forces to Lotopa once, and there was some fighting with the natives.

Q. It appears that you have heretofore filed a claim for $163 for damages suffered during this war. Do you remember about that?—A. Yes. I remember putting in a claim but don't remember the amount.

Q. Do you know who did this damage, except as you have stated?—A. No.

Q. Where did you live during the war?—A. Part of the time on the English man-of-war *Porpoise* and part of the time in Mulinuu.

Q. Did you take anything from your house when you left it?—A. No. I was working in my bakery shop down town when the bombardment started and didn't go back to my house. The guards wouldn't let me pass.

Q. What makes you think you are an American citizen?—A. My father died when I was about 7, and I remember his telling me he was an American. He said he came from America on a sailing boat. I went to Pago Pago soon after this war and have lived there ever since, because I considered myself an American.

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Q. Do you know anything about your father having registered as an American citizen?—A. No.

Q. Did you ever register as such in the American consulate at Apia?—A. No.

Q. Do you know anything about the marriage of your father and mother?—A. No; but my mother told we they were married by a white minister.

Q. Is your mother living?—A. No.

Q. Is there anything further that you care to say about this claim?—A. I lost two half-grown pigs and had two big breadfruit trees cut down.

TAUA.

(Caroline Johnston being duly sworn as interpreter.)

Q. Where did you live in March, 1899?—A. In Matafele, Apia.

Q. What took place at that time?—A. A war between Mataafa and Malietoa.

Q. Did you then know John Bruce, the claimant?—A. Yes.

Q. Where did you then live, with reference to him?—A. About 200 yards from him.

Q. Do you remember what property John Bruce had on this place then?—A. A little European house and a Samoan house—a large one.

Q. Do you know what was in these houses?—A. Bedsteads, boxes, tables, and chairs.

Q. State what happened to this property, if anything, during the war.—A. The American and British guards halved the European house and took one half of it to the beach to live in.

Q. Did you see them do it?—A. Yes.

Q. Do you know of anything else which happened to this property of Bruce's?—A. The American and British guards pulled the Samoan house down to use the posts for the fire and they broke up all the furniture.

Q. Did you see this done?—A. Yes.

Q. Do you know anything about the value of the property which was destroyed as you have stated?—A. No.

Q. Have you any interest, direct or indirect, in this claim of Bruce's?—A. No, only our parents were friends.

SOOALO.

(Caroline Johnston being duly sworn as interpreter.)

Q. Where did you live in March, 1899?—A. In Matafele, Apia.

Q. Do you remember anything which happened at that time?—A. A war between Malietoa and Mataafa.

Q. Did you fight in that war; and if so, on which side?—A. Yes, with Malietoa.

Q. Did you know John Bruce, the claimant, at that time?—A. Yes.

Q. How far did you live from Bruce then?—A. 200 or 300 yards.

Q. Were you in the habit of visiting Bruce's place then?—A. Yes; we were friends.

Q. What buildings did Bruce have on this place?—A. A small European house of 3 rooms and a large Samoan house built of Samoan wood, partly breadfruit and partly other woods.

Q. What happened to these houses during the war, if anything?—A. The British and American guards took half of the European house

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down to the beach and smashed up the other half, and pulled down the Samoan house to use the wood as fuel.

Q. Did you see this done?—A. Yes, we had just come back from Mulinuu and were going out to fight the Mataafans and we saw the guards doing this damage.

Q. Did you see anything done to the furniture which was in these houses?—A. No. The furniture was all gone when we passed on this occasion.

Q. Do you know what furniture Bruce had in these houses at the time in question?—A. Tables, chairs, bedsteads, boxes, and crockery.

Q. Do you know how many of each, or what material, or of how much value?—A. No.

Q. Have you any interest, direct or indirect, in this claim?—A. No; only I am related to the claimant distantly.

Q. Is there anything more you care to say?—A. No; only 3 pigs of Bruce's were taken during the war. I didn't see them taken, but they were gone after the war.

Q. How large were these pigs?—A. About half grown.

NO. 19. GEORGE SCANLAN.

CAROLINE SILVA.

(Caroline Johnston being duly sworn as interpreter.)

Q. Are you related to George Scanlan, the claimant?—A. Yes, I am his sister.

Q. Where did you live in March, 1899?—A. Vaimea, in Apia.

Q. Do you know what property your brother George had at that time?—A. He had a piece of land at Lotopa and another at Sogi, both in Apia. There was a big Samoan house on his Lotopa place.

Q. When were you up to his Lotopa place before the war?—A. I went there often.

Q. What live stock, if any, was there on this place just before the war?—A. Two cows, a lot of fowls, don't know how many, two horses. That's all. There was also some lumber which was in one end of the Samoan house, with which he was going to build a European house.

Q. Was the Lotopa place under cultivation?—A. Yes, all of it in bananas, coconut, and breadfruit trees.

Q. Do you know how many acres there were in the place?—A. About 9½ acres.

Q. When did you first see the place after the war?—A. I was there during the war, while the house was burning.

Q. Did you see the house burn to the ground?—A. Yes.

Q. Do you know how it got on fire?—A. I saw the Metaafa people set it on fire.

Q. Was anything else burned at this time?—A. The lumber which was in the house.

Q. Did you see any other damage which had been done at this time?—A. The coconut, banana, and breadfruit trees had most of them been cut down.

Q. Did you see any of the live stock on this occasion?—A. No, they had all been taken, I don't know by whom.

Q. What property did your brother George have on his Sogi place at the time of the war?—A. He had a European house and a number of pigs.

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Q. Do you know, of your own knowledge, of any damage being done to this property?—A. Yes; I saw the Malietoa people taking some of the pigs and tried to stop them, but could'nt.

Q. Were you living on this place at the time?—A. Yes; I went there when the bombardment started.

Q. Do you know how many pigs were taken?—A. No.

Q. Do you know anything about the values of the property in question?—A. No.

Q. Have you any interest, direct or indirect, in this claim?—A. No; only George Scanlan is my brother.

Q. Is there anything more you care to say about the case?—A. No.

GEORGE SCANLAN.

Q. Where were you born?—A. In Apia.

Q. State whether or not you are a citizen of the United States.—A. I am.

Q. How did you become a United States citizen?—A. Through my father, Jerry Scanlan, who was an American.

Q. Was he born in the United States?—A. That's what he said. I think it was in Boston.

Q. Do you know when he came to Samoa?—A. No. I have heard that he and two or three others were the first white men in Samoa.

Q. Is your father living or dead?—A. He died about 19 years ago.

Q. Did he, so far as you know, remain an American citizen up to the time of his death?—A. Yes.

Q. Was he registered as an American citizen in the consulate at Apia?—A. Yes, all along.

Q. What was your mother's name?—A. Faatii.

Q. Was she a Samoan woman?—A. Yes.

Q. Have you any evidence of the marriage of your father and mother?—A. I have not, but have been told by Catholic priests that they were married by a Catholic priest.

Q. Did your father or mother die first?—A. My father.

Q. Did your parents live together up to the death of your father?—A. Yes.

Q. Have you been registered in this consulate as an American citizen?—A. Yes.

Q. Where did you live in March, 1899?—A. In Apia. I was on the police force.

Q. Of what country were you then a citizen?—A. The United States.

Q. State whether or not anything unusual happened in Samoa at that time.—A. A war broke out between the rebels and the Government party supported by the United States and English people.

Q. Did you have any property injured or destroyed in that war?—A. Yes.

Q. What property was so injured or destroyed?—A. I had 9½ acres of land at Lotopa, in the municipality of Apia. This belonged to me and my brother Charley. There was a native house there which I built myself about two years before the war, built of hard imported wood and Samoan thatch. It cost me $180 to $200. Charley had no share in the house. In the loft of this house was piled a quantity of lumber, with which I intended to build an European house.

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Q. What live stock did you have on this place at the time of the war?—A. Three horses, a cow and calf, and a number of chickens; don't remember how many.

Q. Was any of this land under cultivation?—A. Yes; all of it.

Q. What was planted there?—A. Coconut, breadfruit, and bananas.

Q. Did you and Charley cultivate it on shares?—A. Yes.

Q. When were you up at the place last before the war?—A. Just a few days before the war. My wife lived there at the time.

Q. When did you first see the place after the war?—A. I was there during the war with a party of American soldiers. We fought a battle about 300 yards from my place.

Q. What was the condition of your place when you passed it, if you saw?—A. The rebel party had built forts of stone walls on my place. The lumber and bedsteads were lying outside of the house, which was still standing. We went right on then and didn't see anything else.

Q. When did you see the place next?—A. About a week later I was up there with another party.

Q. What was the condition of things then?—A. The house and everything that was in it was then burned, nothing but ashes left. All the banana trees were cut down, most of the coconut and breadfruit trees were cut down to the trunks. There were other things I lost, such as mats, which I never put down for.

Q. When were you up at this place next?—A. About two weeks later, when the war was over.

Q. Had any more damage been done at that time?—A. No. It was all done before my second visit.

Q. Are you claiming for any damage done at other property than at Lotopa?—A. Yes; I lost pigs at Sogi, where I lived. There were about 35 or 40 pigs, and nearly half of them were lost during the war. We were ordered out of this place and had to go to Mulinuu to live.

Q. Were the pigs of different sizes?—A. Yes.

Q. Can you tell how many were large and how many were small?—A. No; they were all sizes.

Q. Do you know what became of the pigs that were lost?—A. That I can't tell.

Q. Do you know who did the damage at your Lotopa place?—A. Yes; the Mataafa people. They were living there.

Q. State whether or not you lost all of the live stock which you have said was on your plantation.—A. Yes; it was all gone.

Q. Do you know anything about the value of the horses in question?—A. One horse I bought in Tonga two years before the war for $50. The other two horses I bred myself.

Q. Do you remember anything about the ages of these horses?—A. The little one was about 2 years old, the other two were big horses; don't know how old.

Q. Are you able now to state anything about the values of the other property lost?—A. No; the cow I traded for—gave another cow. It was not an old cow; she had a calf about 1 year old, which I lost also.

Q. Can you tell anything now about the number of trees that you lost?—A. No.

Q. Did all of the live stock belong to you alone?—A. Yes. The trees were half Charley's.

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Q. Are you claiming for the full value of the trees which were destroyed?—A. No, just my half share.

Q. Did you ever recover any of the property in question?—A. Nothing.

Q. Have you ever directly or indirectly received any compensation from any person or Government for the losses in question?—A. No.

Q. Did you take any part in this war?—A. Yes, I acted as interpreter for the Americans and always went with their forces when they went into the interior.

Q. Do you remember how much lumber you had on your plantation?—A. No. I had enough to make a start on a European house.

Q. Do you know how much you paid for it?—A. No.

Q. Did you suffer any damage in the January, 1899, war?—A. No.

Q. Is there anything more you care to say about the case?—A. No.

Q. Are you claiming damage for any furniture lost at your Lotopa place?—A. No.

Q. What, exactly, are you claiming for?—A. For the house, lumber, horses, chickens, cow, calf, and injury to trees, and the pigs I lost at Sogi.

Q. Do you remember how many chickens you had at Lotopa?—A. No. I can't tell, but there were over 100.

Q. I show you a paper and ask you what it is?—A. That is a copy of the marriage record of my father and mother.

Q. Where did you get it?—A. From Father Huberty, who is the priest in charge of the Roman Catholic Cathedral in Apia.

Q. I shall mark this as "Exhibit A" and attach it to your deposition if you have no objection to my taking it to Washington.—A. All right.

Q. Are there any white men in Apia who would be likely to know of your losses in the war?—A. Samuel Meredith would know.

CHARLES SCANLAN:

Q. What is your name, age, and residence?—A. Charles Scanlan, 50, Pago Pago.

Q. Where did you live in March, 1899?—A. In Apia, Sogi.

Q. Do you remember the war that took place then?—A. Yes.

Q. Do you know anything about any property of your brother George's that was damaged or injured in that war?—A. Yes, one piece of 10 acres, at Lotopa belonged to the two of us. There were two houses on it, one belonged to George and one to me.

Q. When were you up at this place last before the war?—A. Just before the war.

Q. What kind of a house was it that George had on this place?—A. Samoan house—a big one, built of white pine and redwood, with a thatched roof.

Q. How long had it been built before the war?—A. Do not remember exactly, but not long.

Q. Do you know anything about the cost of the house?—A. No.

Q. When were you up at this place after the war?—A. As soon as the war was finished one day after.

Q. What did you see there?—A. This house of George's was all burned down.

Q. What did he have in the house before the war?—A. He had some lumber there—a good bit of lumber to build a European house.

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Q. Do you know how much lumber there was or what kind?—A. Do not remember.

Q. Do you know of any other property of his that was injured or destroyed in the war?—A. Some coconut and breadfruit trees were cut down.

Q. Is that all you know about the case?—A. Yes.

Q. Do you know who burned the house?—A. No.

Q. Is there anything more you care to say?—A. No.

GEORGE SCANLAN—CLAIMANT'S EXHIBIT A.

J. R. B., vice consul, U. S. A.

In the register of marriages at the Catholic Ministry of Apia:

Matagi, Jeremiah Scanlan is registered as having been married to Elena of Saleimoa in the year 1866 at the Catholic Church in Apia.

Father HUBERTY, S. M.

APIA, *this 27th July, 1911.*

NO. 20. WILLIAM McMOORE, SR.

WILLIAM McMOORE, JR.:

Q. What is your name, age, and residence?—A. William McMoore, age 34, Pago Pago.

Q. Where did you live in March, 1899?—A. In Apia.

Q. What was your occupation then?—A. Overseer for the German firm.

Q. What happened during that time?—A. A war between Mataafa and Malietoa.

Q. Where in Apia did you then live?—A. With my father, on the Tivoli Road, three or four minutes from the beach

Q. Was any of your father's property damaged or destroyed in that war?—A. Some pigs and fowls were taken and his house was burned.

Q. Who did this?—A. The Mataafa people.

Q. Did you see it done?—A. Yes; they burned it in the evening.

Q. Where were you?—A. Standing by the house, when about 100 of these people (Mataafas) came up. First they took the stuff away from inside the house. After they got everything out, they burned the house up.

Q. And you saw them burn it?—A. Yes.

Q. Weren't there white guards around Apia at this time?—A. Yes; but the natives watched their chance and burned the house when the guards were not around.

Q. What did the natives do with the furniture they took out of the house?—A. Took it home.

Q. Did your father take any part in the war?—A. Not until after the house was burned, when he went down to Mulinuu and helped the white people.

Q. Do you know anything about any money he had in the house at this time?

A. He had just been paid off on a schooner where he was cooking and had some money in a box, but I do not know how much.

Q. What became of this money?—A. The natives took it.

Q. Why didn't you take this money away?—A. We did not think they would wreck our house and when they did come there it was in the evening.

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Q. Do you remember the one-day war in January, 1899?—A. Yes; between the natives.

Q. Was any damage done your father's property in this war?—A. No; all in the last war.

Q. So far as you know, was the money in question or any of it ever recovered by your father?—A. No; he never got it.

Q. Is there anything more you want to say about the case?—A. That is about all.

Q. What kind of a house was this that was burned?—A. A Samoan house, or rather roof, with boarding below and doors and windows—imported lumber.

Q. Do you know anything about the age or cost of the house?—A. Think we had built it about two years before the war—we paid a Samoan carpenter $40 for doing the work. I do not know what the lumber cost.

Q. Did your father own the land on which this house stood?—A. No; it belonged to Seumanutafa, a Samoan chief.

Q. What arrangement did your father have with this chief about the house?—A. They allowed us to stay there for nothing.

Q. Then did not the house belong to the chief also?—A. No; we could move it off. We were relations of the chief and that was why he allowed us to stay there.

WILLIAM MCMOORE:

(Charles Scanlon being duly sworn as interpreter.)

Q. What is your name, age, and residence?—A. William McMoore, 60 years old, island of Tutuila.

Q. Of what country are you a citizen?—A. Of the United States.

Q. Where were you born?—A. Leone, island of Tutuila.

Q. How did you become a citizen of the United States?—A. Through my father, William McMoore, who told me he was born in America; I do not know what place.

Q. Was your mother a Samoan?—A. Yes—that is, a half caste, part English and part Samoan.

Q. Have you any evidence of the marriage of your father and mother?—A. They were married by a missionary on the island of Tutuila, and the marriage was recorded in the American consulate in Apia when Mr. Coe was consul.

Q. Are your father and mother both dead?—A. Yes. My mother died when I was 15, and my father then went back to America and stayed there. I never heard from him since.

Q. Where did you live in March, 1899?—A. On the Tivoli Road, in Apia, about 80 to 100 feet from the beach.

Q. Do you remember what took place at that time?—A. Yes; there was a war between the Americans and English on one side and the Germans on the other side.

Q. Of what country were you then a citizen—the United States?—A. Yes.

Q. Did you suffer any loss in property damaged or injured in that war?—A. Yes; a house and what was in it.

Q. What kind of a house was this?—A. A wooden house of one room with a thatched roof. It was burned down.

Q. Did you see them do it?—A. Yes; I was in my house when the Mataafans came there and said they would cut my head off. They

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took my furniture out. I went to the house of T. Meredith, and from there I saw my house burn. This was the same day I left the house.

Q. Did you build this house yourself?—A. Yes. It cost me $60.

Q. What else are you claiming damages for besides the house?—A. A box full of clothes belonging to myself and seven children.

Q. How much do you claim for those?—A. I am only claiming $60 for the house and $40 in money which was in a box there.

Q. Why didn't you take this away with you?—A. I was afraid to go back because of the natives.

Q. Was the box containing your money in the house when you left or had it already been taken out?—A. The natives had taken it away.

Q. Did you ever recover the money or any part of it?—A. No; not any of it.

Q. Have you ever received any compensation from any person or Government on account of this loss?—A. No.

Q. Did you take any part in the war yourself?—A. I was two days only with the forces of Tamasese.

Q. Then you were on the side against Mataafa?—A. Yes.

Q. Have you ever before presented a claim on account of this loss?—A. I put it in the hands of Mr. Gurr right after the war.

Q. Do you know what Mr. Gurr did with it?—A. He wrote it down and gave me a copy and I handed it to the American consul.

Q. Is there anybody in Apia now who knows about your claim?—A. The only one I know of is a Chinaman, Ah Su. My son, who is here in Pago Pago, also knows.

Q. Where does this Chinaman live?—A. He has a baker shop just east of the Tivoli Hotel.

Q. Is there anything more you care to say about the case?—A. No.

NO. 21. THOMAS B. COFFIN.

FREDERICK STUZNER.

Q. Do you know anything about the losses alleged to have been suffered by Thomas Coffin?—A. No.

Q. Have any court proceedings been taken in the estate of Mr. Coffin?—A. I have been appointed by the court as guardian for Edward Coffin, who is not of age.

Q. Has anybody been appointed to represent the estate?—A. No; Mrs. Kohlhase, the other heir, is of age.

Q. Is it not the custom of the court to appoint a representative for the estate of deceased persons?—A. No, only for those heirs not of age.

Q. To whom, then, is money owing to an estate property payable?—A. To the court, which pays the debts and distributes the money.

(The witness here stated that he will furnish proof of his appointment.)

Q. Is there anything more that you care to say about the case?—A. No.

MARY KOHLHASE.

Q. Are you related to Thomas D. Coffin; and if so, what is the relationship?—A. Yes; daughter.

Q. Is your father living or dead?—A. Dead.

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Q. When did he die?—A. Six years ago.

Q. State whether or not he was a citizen of the United States at the time of his death.—A. He was.

Q. Was he born in the United States?—A. Yes.

Q. What place?—A. I do not know.

Q. When did he leave the United States?—A. I do not know.

Q. When did he first come to Samoa?—A. I do not know.

Q. Do you know how long he lived in Samoa?—A. No.

Q. Where did your father live in the months of March, April, and May, 1899?—A. In Solosolo.

(At this point Frances Possin was duly sworn in as interpreter, the replies of the witness being somewhat unintelligible.)

Q. Where is that?—A. On the island of Upolu, a few miles west of Apia.

Q. Do you know how far?—A. No.

Q. What was your father's business at that time?—A. He kept a small store.

Q. Was he then a citizen of the United States?—A. Yes.

Q. What happened during those months?—A. The British and American ships shelled the island.

Q. Was any of your father's property injured or destroyed during that time?—A. Yes, his house and everything in it.

Q. Did you then live with your father?—A. Yes.

Q. State exactly what damage was done to your father's property.—A. The house was struck by a shell from one of the ships, set fire and burned, with everything in it.

Q. Were you there at the time?—A. Yes.

Q. Describe the house?—A. It was a three-roomed wooden house with a thatched roof.

Q. What was in the house when it was burned?—A. In the store were all kinds of provisions and prints. In the other two rooms were furniture.

Q. Can you state more definitely what was contained in the house?—A. Kitchen utensils, tables, chairs, 1 bed, 3 chests of clothes, lots of mats and tapas. There were also about 50 pigs all sizes.

Q. Have you any list of the losses claimed to be suffered by your father?—A. I may have one at home.

The witness was here instructed to search for this list and bring it here within the next week, if found.

Q. Do you know anything about the value of the property of your father's which you say was destroyed?—A. No.

Q. Is that all you can say about this property itself?—A. That is all.

Q. Did you see this house struck by a shell?—A. Yes.

Q. Do you know what ship the shell came from?—A. No.

Q. Did your father ever receive any compensation from anybody, for the losses you have described?—A. No; nothing.

Q. Did you save anything out of the house before it burned?—A. No.

Q. Why not?—A. Because we were afraid of the shells.

Q. How did you lose the pigs in question?—A. After the house was burned the natives brought in by the ships of war killed and ate the pigs.

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Q. How do you know this?—A. I saw them.

Q. Did you continue to live around your home after the house burned?—A. Yes, we lived in the church.

Q. Do you know how much damage your father claimed on account of these losses?—A. No. Mr. Moors would know.

Q. How do you know that the natives who killed the pigs were landed from war ships?—A. I saw them.

Q. Do you know what ships these were?—A. Only that one was a British and one an American.

Q. Did your father take any part in the war, so far as you know?—A. No.

Q. Is there anything more that you care to say about the case?—A. No.

Q. Is there anybody who knows of his own knowledge about these losses of your father's?—A. Nobody was there except natives.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia, or on board the men-of-war.

Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and adviser to the British and American commanding officers.

Q. Was there any bombardment from those vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malie, Faleula, Afega, Salieamoa, Utualia, and Falieasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Salaufata and the near-by place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi, and Faleapuna. In addition to that I went one day on the *Royalist* to Solosolo, and we landed a party of friendly natives and burnt some houses. On March 31 we went west from Apia on the *Porpoise* with the launch of the *Philadelphia* and burnt a boat at Satupuala.

On one occasion after that, when I wasn't along, the *Royalist* shelled in the vicinity of Fasitooti and Leulomoega. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii on April 1. I wasn't along then.

Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

Q. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo? A. I think not; but that is very close to Fasitooti and Leulomoega.

Q. Was there any at Tiavea or vicinity?—A. None.

Q. Did you know Thomas B. Coffin, of Solosolo?—A. Yes.

Q. And where he lived?—A. Yes.

Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may

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have struck the place. I don't know about this. We did, however, burn a lot of houses there, but don't know whether Coffin's was one of them.

Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

Q. Did you know James Schuster, of Malie, and where his house was?—A. Yes.

Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.

Q. Do you know of any damage done by war vessels to William Blocklock's store at Saluafata?—A. None.

Q. Was there any bombarding at Tiavea?—A. No. We went ashore once at Tiavea and found that the natives had not damaged the store of the St. Louis Planting Co., as had been reported to us. The man who had been in charge there had left then, but the natives showed us that the store had not been interfered with.

Q. Was there any bombarding at Falefa?—A. No.

Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was, and don't think there was.

Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.

Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No; but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves, which we found did not exist.

Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise*?—A. Yes.

NO. 22. DAVID S. PARKER.

G. W. PARTSCH.

Q. Where did you live in March, 1899?—A. In Apia.

Q. Did you then know David S. Parker, the original claimant in this claim?—A. Yes.

Q. Where did he live at that time?—A. Before the war he lived at his house in Motootua. On the morning of the first bombardment he moved his family to the Tivoli Hotel, on the beach, of which I was then proprietor.

Q. What, if anything, did he bring with him?—A. Just the small things that they valued—such as family pictures.

Q. Did he bring any large articles of furniture?—A. I only remember a bookcase. I know that he employed a carter, who brought down a load or two for Mr. Parker. This carter's name is Danielson. He is still living.

Q. Had you visited Mr. Parker in his home just before the war?—A. Yes; I had been there often—had stayed there for two or three days at a time.

Q. What buildings did he have on the place before the war?—A. There was a big house, with a parlor, sitting room, and three bedrooms. This house was connected by veranda with a nursery for

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the children; then there were other outside rooms used as kitchen, place for servants, and a bathroom. There was also a big fowl house and house for laborers.

Q. Do you know about the size of the lot?—A. Think there was 10 or 15 acres.

Q. Was it in cultivation, or any of it?—A. It was all planted in coconuts and fruit, and a well-appointed garden, principally of flowers; some vegetables.

Q. What live stock did he have on the place, if you know?—A. He had three or four horses, and about the same number of cattle. One of the horses and two of the cows he imported from San Francisco.

Q. What can you say about the furnishings of the house?—A. The house was well furnished throughout. Mr. Parker always bought the best of everything for his house. He had a piano.

Q. When were you up there first after the war?—A. As soon as the war was over.

Q. What was the condition of the place then?—A. The posts of the verandas were hacked with axes, the inside of the piano was torn out, the furniture was scattered all over the yard and verandas, the fine kitchen stove was outside and broken. The fowls, horses, and cows were all gone.

Q. Did you notice any other damage to the place?—A. It was all damaged.

Q. Do you know whether Mr. Parker ever recovered any of the live stock?—A. He never got anything back.

Q. Do you know anything about the values of any of this property which was lost or damaged?—A. No.

Q. Is there anything more you care to say?—A. No, except that Mr. Parker's iron safe was outside the house when we went up there and had been battered with axes, but not opened.

CHARLES ROBERTS:

Q. Where did you live in March, 1899?—A. In Apia.

Q. Did you know David S. Parker at that time?—A. Yes.

Q. Where did he then reside?—A. At the outbreak of the war he resided at Motootua, Apia.

Q. Did he live there all through the war?—A. He left there before the outbreak of the war and came to Apia.

Q. Do you know whether this was in anticipation of hostilities?—A. Yes he was frightened to stay.

Q. Had you ever visited him in his house at Motootua before the war?—A. On several occasions I dropped in to see him there, two or three times I was there to see him on business.

Q. Did he then reside in the house where the widow now lives?—A. No; in a house on the same side of the road, which has now been moved to the opposite side of the road, it belongs to Capt. Allen.

Q. What was the size, or style, of this house in March, 1899?—A. In the main house were four or five rooms, with a veranda all around, and another veranda leading to the cook house of two rooms; it was built of kouri, which is an expensive wood.

Q. Were there any other buildings on the place where he lived?—A. A buggy house and other usual outbuildings.

Q. What can you say as to the furnishings of the house at that time?—A. The house was better furnished than the ordinary house

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in Apia, as well as any ordinary house in the Tropics. There was a piano, bookcase, suites of furniture in each room.

Q. Do you know anything about any live stock on the place?—A. No.

Q. Is there anything more you care to say about the condition of the place just before the war?—A. No; except that it was a good substantial place, furnished very nicely and kept in good order throughout.

Q. When were you up at this place first after the war?—A. Between the 25th and 30th of April.

Q. What was the condition of the place at that time?—A. The piano was wrecked—that is, the chords and inside parts were torn out, the cook stove was outside the kitchen, battered and wrecked, some of the furniture was inside the house and some on the veranda, and some of it was broken. There were at least two large water tanks about the house and they were both cut through, apparently with knives.

Q. Could the tanks have been repaired so as to be used again?—A. They could have been patched, I suppose, but never would have been worth one-quarter the original value.

Q. Is that about all you noticed on the place at this time?—A. Yes.

Q. Do you know whether Mr. Parker took anything away with him when he left the house before the war?—A. No.

Q. Is Mr. Parker now dead?—A. Yes.

Q. And left a widow surviving him?—A. Yes, and several children.

Q. Do you know where the widow is now?—A. In Auckland for a pleasure trip.

Q. When did she leave Apia?—A. About six weeks ago, on the boat before the last one to Auckland.

Q. Do you know whether any proceedings have been taken in court regarding Mr. Parker's estate?—A. I know that Irving Hetherington has been appointed trustee.

Q. Is there anything more you care to say?—A. No.

Q. Have you any interest, direct or indirect, in this claim?—A. Not the slightest. I want to say that when I went to the house just after the war it looked generally dilapidated and wrecked.

NO. 23. BEN PETER

No evidence.

NO. 24. WALTER RAY MARTIN.

No evidence.

NO. 25. ALFRED FRUEAN.

No evidence.

MISCELLANEOUS.

G. E. L. WESTBROOK:

(Not sworn.)

Q. Where do you live?—A. Apia.

Q. How long have you resided in Samoa?—A. Since 1892.

Q. Where did you reside in March, 1899?—A. Apia.

Q. Before the outbreak of the war in that month, were the forces of Mataafa encamped in and about Apia, and, if so, to what extent? A. First war, the forces of Mataafa were encamped in the suburbs

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of Apia, and commenced to close in the last week of December. They rushed the town and attacked the Malietoa natives January 1, 1899.

Q. What part, if any, did you take in that war?—A. Storekeeping and in the customs employ. I took no active part, but simply did my duty as a customs officer. The customs were run without a hitch of any kind during the war.

Q. Were you familiar in a general way with the conditions which existed in and about Apia during the progress of that war?—A. Second war, March, 1899. The Mataafa followers, when the bombardment commenced, retreated from Mulinuu and Apia proper, and stationed themselves away back, but within a short distance of the town.

Q. What can you say generally as to the injury done in that war to the property of white and half caste residents in and about Apia, with particular reference to buildings, household furniture, live stock, coconut and cocoa trees, and growing fruit?—A. The natives when fired upon by Admiral Koutz and the British warships naturally felt very indignant and did as much damage as possible, both by way of looting houses, destroying furniture and plantations, except in the case of those that did not desert their property, as I understand that as long as the residents could remain on their property very little damage was done. All poultry, cattle, and pigs were looted. When all residents were compelled to leave their property, then the looting commenced.

Q. What experience, if any, have you had as a planter?—A. Unfortunate. I have sunk at least 32,000 marks in a plantation, cocoa and rubber; so far my profits have been nil. I could not obtain 20,000 marks for the place at present.

Q. Is there a so-called copra season in Samoa, and if so, what is its extent, and what can you say as to the making of copra during the remainder of the year, and particularly during the months of March and April? Does the fact, if it is a fact, that but little copra is made during these months have any effect upon the retail store trade at such periods, and if so, what?—A. The copra season commences about the middle of April, the first cutting lasting about three months, and after a lull of two months commences again, and cutting goes on again until the end of November. The rest of the season copra is made in smaller quantities.

Q. At what age do coconut trees begin to bear in Samoa?—A. Five years; no decent crop until seven or eight years.

Q. At what age are they at the height of their bearing, and for how long do they so continue?—A. From 10 years to 30 years.

Q. What is the bearing life of an average coconut tree in Samoa?—A. Forty to 50 years I think is a fair estimate.

Q. What is the average number of nuts obtained per year during its bearing life?—A. Average number nuts about 100 per tree, about five months per year, when in full bearing, at £10 per ton.

Q. How many nuts are required to make a ton of copra?—A. About two nuts to the pound of dried copra.

Q. What was the price paid per ton for copra in Apia during the first few months of 1899?—A. Not certain, I think £10 to £11 per ton.

Q. What in your opinion was the value in 1899, in Samoa, of coconut trees, respectively 1, 2, 3, 4, 5, and 10 years old?—A. Trees in full bearing were formerly valued at $5 per tree. This was what

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the Government usually paid as compensation when cutting down trees for the purpose of making roads through people's property.

Q. At what age do cocoa trees begin to bear in Samoa?—A. Five years; sometimes a few nuts at four and one-half years.

Q. At what age are they at the height of their bearing, and for how long, on the average, do they continue?—A. Twelve to 30 years.

Q. What is the average weight, in dried cocoa, obtained per year from a cocoa tree during its bearing life?—A. One hundred nuts per tree ought to yield about 50 pounds of copra, providing the trees are in full bearing.

Q. What was the price per ton paid for dried cocoa beans in Apia, in the first few months of 1899?—A. To the best of my knowledge, none exported.

Q. What, in your opinion, was the value, at that time in Samoa, of cocoa trees, respectively, 1, 2, 3, 4, 5, and 6 years old?—A. Four, 8, 12, 16, 20, and 20 shillings per year.

Q. What can you say, in a general way, as to the shipment of fruit from Apia in the early part of 1899?—A. A few boxes of pineapples and bananas, shipped every month per mail steamer *Frisco* to Australia.

Q. Is any fruit shipped from here now, and if not, why?—A. No fruit is shipped from Samoa, since the mail steamers *Frisco* and *The Colonies* stopped calling at Apia, as the present rate of steam service takes nearly twice as long.

Q. Between about what dates did the so-called Spreckles line of steamers from San Francisco to New Zealand call at Apia?—A. 1893 to 1900, after which Pago Pago was the port of call.

Q. Did they afford a faster service between Apia and New Zealand or Australia than can be had now, and if so, how much faster?—A. The passage from Apia to Auckland took about five days.

Q. What, in your opinion, was the value, in Samoa, in 1899, of the banana trees, covering an acre of ground?—A. Bananas for export are worth about 1 shilling per bunch.

Q. How soon, after cutting down, will a banana tree spring up and bear fruit, if at all?—A. A banana tree bears from eight to nine months.

Q. What, in your opinion, was the value in Samoa, in 1899, of pineapples covering an acre of ground?—A. I have never seen pineapples planted by the acre.

Q. What can you say as to the value in Samoa, in 1899, of the classes or sizes of Samoan or native houses?—A. From $30 to $60.

Q. What can you say, in a general way, as to the cost in Samoa, in 1899, as compared with other countries with which you are familiar, of the materials used in the construction of so-called European, or wooden houses, of household furniture, and the necessities of life generally?—A. Taxes were much lower, and the duty much less than at present. The duty in 1899, when Samoa was under the Three Powers, was 2 per cent ad valorem. Freight on timber from Frisco $10 per thousand feet, and $10 per ton on general cargo.

EDWARD F. ALLEN:

Q. Where did you live in March, 1899?—A. In Apia, or on board the men-of-war.

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Q. What part, if any, did you take in the war which broke out in that month in Samoa?—A. I acted as interpreter, pilot, and adviser to the British and American commanding officers.

Q. Was there any bombardment from those vessels of the coast east and west of Apia?—A. Yes.

Q. To what extent?—A. On March 18 the *Porpoise* bombarded Malie, Faleula, Afega, Salieamoa, Utuala, and Falieasiu. At the same time the *Philadelphia* fired on Viausu. On March 20 the *Porpoise* put some shells in Fasitootai. On March 21 we brought 10 native (Mataafan) boats from Falefa to Apia. On March 23 we fired shots from the *Philadelphia's* launch into Saluafata and the near-by place of Solosolo and took boats away. We burned certain houses in Saluafata, Lufi Lufi and Faleapuna. In addition to that I went one day on the *Royalist* to Solosolo, and we landed a party of friendly natives and burned some houses. On March 31 we went west from Apia on the *Porpoise* with the launch of the *Philadelphia* and burned a boat at Satupuala.

On one occasion after that when I wasn't along, the *Royalist* shelled in the vicinity of Fasitooti and Leulomoega. That is all the bombarding which was done in Upolu outside of the harbor of Apia, except at Fagalii on April 1. I wasn't along then.

Q. Were you present on all these occasions with the exception you have made?—A. Yes.

Q. Was there any bombarding in the vicinity of Aliepata?—A. Not to my knowledge.

Q. And you would have known if there had been?—A. I should think so.

Q. Was there any at Fasitoo?—A. I think not, but that is very close to Fasitooti and Leulomoega.

Q. Was there any at Tiavea or vicinity?—A. None.

Q. Did you know Thomas B. Coffin of Solosolo?—A. Yes.

Q. And where he lived?—A. Yes.

Q. Do you remember whether or not his house was struck by a shell?—A. I think no shells were thrown in there, but there were shots from the 1-pounder of the *Philadelphia's* launch which may have struck the place. I don't know about this. We did, however, burn a lot of houses there but don't know whether Coffin's was one of them.

Q. Do you know anything as to any pigs belonging to Coffin which are said to have been killed by the friendly natives landed there?—A. I know we did kill pigs which were running around in any of the villages where we landed. Don't know about Coffin's.

Q. Did you know James Schuster of Malie and where his house was?—A. Yes.

Q. Do you know if any damage was done to his house by shell or shot from the war vessels?—A. A cutter from the *Philadelphia* threw several 1-pound shots into this house.

Q. Do you know of any damage done by war vessels to William Blacklock's store at Saluafata?—A. None.

Q. Was there any bombarding at Tiavea?—A. No. We went ashore once at Tiavea and found that the natives had not damaged the store of the St. Louis Planting Co. as had been reported to us. The man who had been in charge there had left then, but the natives showed us that the store had not been interfered with.

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Q. Was there any bombarding at Falefa?—A. No.

Q. Do you know if any damage was done by natives or otherwise to the store of the St. Louis Planting Co. at that place?—A. I never heard that there was and don't think there was.

Q. Was the *Porpoise* at Falefa during this time, except as you have stated?—A. No.

Q. Do you remember bringing Cyrus Scott away from Falefa on this occasion?—A. No, but I know the members of this company that he belonged to gave us much trouble with their stories of danger to themselves which we found did not exist.

Q. Do you remember bringing William Wallwork away from Fasitoo on the *Porpoise*?—A. Yes.

NORMAN H. MCDONALD:

Q. Where do you live?—A. In Apia.

Q. How long have you resided in Samoa?—A. About four months, formerly living in Tulaele.

Q. Where did you reside in March, 1899?—A. In Tulaele.

Q. Before the outbreak of the war in that month, were the forces of Mataafa encamped in and about Apia; and if so, to what extent?—A. Yes. Perhaps three or four thousand natives.

Q. What part, if any, did you take in that war?—A. I acted as guide to the English and American forces, and was engaged in preparing plans, etc., for their information.

Q. Were you familiar in a general way with the conditions which existed in and about Apia, during the progress of that war?—A. Yes.

Q. What can you say, generally, as to the injury done in that war to the property of white and half-caste residents in and about Apia, with particular reference to buildings, household furniture, live stock, coconut and cocoa trees and growing fruit?—A. Buildings were practically undamaged, excepting those destroyed by the authorities; household furniture was in many cases stolen or destroyed. Such live stock as could be caught was used for food purposes, and in many cases horses were taken for use, but I do not think that stock was maliciously destroyed. Practically no coconuts were cut down, excepting a few belonging to natives. Several acres of cocoa, principally the loss of Moors and Carruthers, were destroyed, the object being to guard against the trees being used as cover by the sailors. Bananas were used and destroyed extensively, but other fruit trees were not damaged to any great extent.

Q. What experience, if any, have you had as a planter?—A. I have been a planter for 20 years.

Q. Is there a so-called copra season in Samoa, and if so, what is its extent; and what can you say as to the making of copra during the remainder of the year, and particularly during the months of March and April? Does the fact, if it is a fact, that but little copra is made during these months have any effect upon the retail store trade at such periods; and if so, what?—A. The copra season extends from about May to December; during the balance of the year no copra is made by the natives, owing to the rainy season. March and April are often the worst months, hence little if any copra is made. This necessarily has an effect on the retail store trade, sales during the wet season falling off very considerably, perhaps from 25 to 50 per cent, although not being a trader I am without experience.

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Q. At what age do coconut trees begin to bear in Samoa?—A. About five years on the coast and seven years inland.

Q. At what age are they at the height of their bearing, and for how long do they so continue?—A. I should say from 12 to 30 years in their prime, after that gradually falling off till about 50 to 60 years.

Q. What is the bearing life of an average coconut tree in Samoa?—A. See above.

Q. What is the average number of nuts obtained per year during its bearing life?—A. About from 50 to 100, according to conditions.

Q. How many nuts are required to make a ton of copra?—A. From 5,000 to 6,000.

Q. What was the price paid per ton for copra in Apia during the first few months of 1899?—A. Unknown.

Q. What, in your opinion, was the value in 1899, in Samoa, of coconut trees, respectively 1, 2, 3, 4, 5, and 10 years old?—A. The value per acre of land planted in coconuts, say 40 to the acre, I should estimate as follows: One year, $30; 2 years, $40; 3 years, $50; 4 years, $60, 5 years, $70, and at 10 years, $125.

Q. At what age do cocoa trees begin to bear in Samoa?—A. I should say that the Forastero variety crops at four years, and the Criolo at six years, although both varieties produce fruit a year earlier, but not to any extent.

Q. At what age are they at the height of their bearing, and for how long, on the average do they continue?—A. In their prime, say, from 10 to 20 years, and are supposed to last for 40 years.

Q. What is the average weight, in dried cocoa, obtained per year from a cocoa tree during its bearing life?—A. From 3 to 6 pounds.

Q. What was the price per ton paid for dried cocoa beans in Apia, in the first few months of 1899?—A. Probably not more than 1 or 2 tons shipped, this being from Carruthers property. Price unknown.

Q. What, in your opinion, was the value, at that time in Samoa, of cocoa trees, respectively, 1, 2, 3, 4, 5, and 6 years old?—A. One year, 25 cents, or per acre, $50; 2 years, 37 cents, or per acre, $75; 3 years, 50 cents, or per acre, $100; 4 years, 63 cents, or per acre, $125; 5 years, 75 cents, or per acre, $150; 6 years, $1, or per acre, $200.

Q. What can you say, in a general way, as to the shipment of fruit from Apia in the early part of 1899?—A. I believe that we had only one pretty regular shipper, viz, H. J. Moors; the D. H. & P. G. had tried it, but given it up, and I understand that the returns were not always satisfactory, sometimes showing a good profit and sometimes a loss.

Q. Is any fruit shipped from here now, and if not, why?—A. No fruit is shipped from here now for two reasons, primarily because the steam connection is bad, and secondly because there is no organized system of handling the fruit at the other end.

Q. Between about what dates did the so-called Spreckles line of steamers from San Francisco to New Zealand, call at Apia?—A. For some years before 1898, but I can not remember what year the service was discontinued.

Q. Did they afford a faster service between Apia and New Zealand or Australia than can be had now, and if so, how much faster?—A. The service was five or six days faster than the present one.

Q. What, in your opinion, was the value, in Samoa, in 1899, of the banana trees, covering an acre of ground?—A. Banana cultivation

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is unknown in Samoa as compared for instance with Fiji; the crop is known to impoverish the soil, and no planter will, if he can help it, grow bananas on ground on which he is going to grow permanent crops, such as rubber, cocoa, although perhaps coconuts would not suffer to any serious extent as an aftercrop. Four hundred bunches might be matured on an acre at once if under exceptionally good cultivation. The value of a bunch delivered in Apia for shipment might be 12 cents or so, so that 400 bunches in Apia would be worth $50, less the cost of cutting and carting down. This cost I take to be $18, so that 400 bunches equals $32.

Q. How soon after cutting down will a banana tree spring up and bear fruit, if at all?—A. A banana will have matured fruit eight to nine months after being cut down.

Q. What, in your opinion, was the value in Samoa, in 1899, of pine-apples covering an acre of ground?—A. The same answer may be given as in the case of bananas; no pines are cultivated, as there is no market. An acre might produce 1,000 to 1,500 ripe pines at once under good cultivation, worth ready for shipment, say $150, less cost of picking and carting, say $20. Therefore, an acre of pines might be worth $130. Both this estimate and that for bananas is only a rough opinion, and not from any actual experience.

Q. What can you say as to the value in Samoa, in 1999, of the classes or sizes of Samoan or native houses?—A. Samoan houses generally vary in value from $35 to $50, but sometimes larger and better houses are built wherein lumber is used. This class of house can cost anything from $50 to $150.

Q. What can you say, in a general way, as to the cost in Samoa, in 1899, as compared with other countries with which you are familiar, of the materials used in the construction of so-called European or wooden houses, of household furniture, and the necessities of life generally?—A. Building material and furniture is, I should think, from 20 to 50 per cent higher than in the colonies, but, as some set-off for this, people usually dispensed with elaborate buildings or furniture. Many of the necessities of life are high, but I believe that clothing and some other lines are, owing to light duties, comparable with prices elsewhere.

THOMAS ANDREWS: (Not sworn.)

Q. Where do you live?—A. Apia, Samoa.

Q. How long have you resided in Samoa?—A. Twenty years.

Q. Where did you reside in March, 1899?—A. Next Apia foreign church.

Q. Before the outbreak of war in that month, were the forces of Mataafa encamped in and about Apia, and if so, to what extent?—A. Mataafa's forces formed an irregular line from Vaitele plantation beach to Taufusi, thus completely controlling roads and tracks leading from the town.

Q. What part, if any, did you take in that war?—A. None whatever.

Q. Were you familiar in a general way with the conditions which existed in and about Apia during the progress of that war?—A. At that time practising as a photographer and having a "general pass" I was entitled to go anywhere.

Q. What can you say generally as to the injury done in that war to the property of white and half-caste residents in and about Apia,

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with particular reference to buildings, household furniture, live stock, coconut and cocoa trees and growing fruit?—A. The principal damage done to buildings was the smashing of windows and doors and veranda posts. Furniture and movable goods were either destroyed or taken away. Cocoa trees were cut off close to the ground. The coconut trees were stripped of all nuts and in some places cut down.

Q. What experience, if any, have you had as a planter?—A. Eight years, principally in planting cocoa and rubber.

Q. Is there a so-called copra season in Samoa, and if so, what is its extent, and what can you say as to the making of copra during the remainder of the year, and particularly during the months of March and April. Does the fact, if it is a fact, that but little copra is made during these months have any effect upon the retail store trade at such periods, and if so, what?—A. Between the months of January and April very little copra is made in Samoa except in certain districts where the rainfall is small. After April the copra season begins and continues until the rainy season comes on. The native trade during the wet season falls off 40 per cent.

Q. What, in your opinion, was the value in 1899 in Samoa of coconut trees, respectively 1, 2, 3, 4, 5, and 10 years old?—A. All bearing cocoa trees existing in 1899 were of exceptional value; in most cases they were reserved for seed purposes, to supply the want on new plantations.

Q. At what age do cocoa trees begin to bear in Samoa?—A. Under favorable conditions two and one-half years, but not to any extent until about the fourth year.

Q. What is the average weight, in dried cocoa, obtained per year from a cocoa tree during its bearing life?—A. This depends entirely upon the variety of cocoa, locality, and conditions of soil, and particularly on the care and attention they receive.

Q. What can you say, in a general way, as to the shipment of fruit from Apia in the early part of 1899?—A. About the only fruit shipped consisted of pineapples and bananas

Q. Is any fruit shipped from here now, and if not, why?—A. No fruit is shipped from here now on account of the supply going into the colonies from Tonga and Fiji.

Q. What, in your opinion, was the value in Samoa in 1899 of the banana trees covering an acre of ground?—A. Generally about 700 banana trees go to an acre and should yield one bunch, each tree worth 1 shilling. Exceptionally favorable years the yield may be half as much again on account of the extra number of suckers maturing.

Q. What can you say as to the value in Samoa in 1899 of the classes or sizes of Samoan or native houses?—A. The house of an ordinary (not chief house) at that time would be worth $100.

[Translation.]

J. No. 4153/11. APIA, *22d July, 1911.*

I beg to answer your inquiries in the esteemed communication of the 12th instant, as follows:

Re. No. 1.—The firm of Harrington & Huch declared their total loss to be $1,167.50; of which E. Huch as a German subject claimed half, viz., $583.75 from the German treasury. His claim was assessed by the commission of claim investigation at $507.37½ paid to him after 25 per cent had been deducted.

Re. No. 2.—G. W. Partsch and H. J. Moors claimed in all for damage at the Tivoli Hotel the sum of $1,046.50. Half fell to Partsch, viz., $523.25, which (his share) he

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applied for to the German Government. The commission, re this $523.25, allowed the sum of $470.81 and this amount in full was received by Partsch.

Re. No. 3.—C. Pallock duly claimed $778. The commission allowed therein $464, which Pallock has also received.

No compensation has been paid for loss of time and damage through possible loss of profits.

Regarding the other points of your letter, I must reserve them for a further communication.

THE ACTING IMPERIAL GOVERNOR.
SCHULTZ.

HERR BAKER,
The Commissioner of the United States of America.

	Claimed.	Paid.		Claimed.	Paid.
1. Adam	$392.50	$292.50	30. Losche	$449.75	$382.28
2. Adam	650.00	180.00	31. Marquardt	2,648.73	1,849.00
3. Broederlow	438.50	277.67	33. Mugele	1,293.50	678.50
4. Bulow	592.00	19.00	34. Nauer	615.15	540.15
5. Conradt	465.00	465.00	35. Partsch	837.00	612.00
6. Decker	678.50	313.50	36. Partsch	523.25	470.91
7. D. H. & P. G	22,116.80	12,215.05	37. Peemuller	438.87	291.65
8. Dr. Friedlandler	233.85	143.85	38. Pullock	778.00	464.40
9. A. Fries	2,181.50	1,388.19	39. Pump	206.87	206.87
11. Dr. Funk	525.00	210.00	40. Rathke	734.37	402.50
12. Gabriel	240.50	211.00	41. Saffings	1,283.00	909.75
13. Gebauer, H	1,188.75	1,138.75	42. Schlueter	2,538.00	1,543.05
14. Gebauer, E	3,000.00	3,000.00	43. H. Schmidt	2,436.00	1,812.75
15. Grosnubl	157.27	154.77	44. Lehmidt & Peemuller	8,768.00	1,984.50
16. Gasche	133.25	133.25	45. Schroeder	1,070.68	786.68
17. Haidlen	933.00	688.00	46. Schwagler	116.60	116.60
18. Hannemann	750.00	430.00	47. Sommers	290.00	210.00
19. Hach	583.75	507.37	48. Spitzenburg	170.00	170.00
20. Haufnagel	251.00	206.00	49. Stehlis	1,009.12	815.21
22. Karras	1,369.50	383.50	50. Liedemans	834.00	489.20
23. Kessler	249.50	213.50	51. Valkmann	2,437.37	988.69
24. Kirsch	82.75	82.75	52. Walter	771.12	464.08
25. Kruse	1,183.36	770.10	53. Warns	156.76	117.57
26. Kuckuck	1,330.56	1,020.11	54. Rabeck	781.00	586.00
27. Kurst	3,929.00	2,979.00	55. Schultz	292.93	263.64
28. Hofliet Leonard	296.00	204.12	56. Wulff	176.50	176.50
29. Lober	1,024.62	827.12			

Payments made on British claims.

1. N. Macdonald	£350	26. J. Johnston	£40
2. A. W. Taylor	50	30. A. Kenison	15
3. E. Griffiths	46	34. E. W. Curr	400
5. Mary Jameson	40	37. I. C. Hetherington	30
6. A. W. Helsham	27	38. T. Trood	100
8. A. Tattersall	50	45. R. H. Carruthers	615
9. W. Groves	40	50. U. S. S. Co. of New Zealand	200
10. G. E. L. Westbrook	10	52. W. Barron	5
11. W. J. Swann	100	56. Montgomery Betham	70
12. Edgar Reid	230	81. John Skelton	10
13. T. Meredith	100	81a. Arthur Skelton	10
14. London Missionary Society	222	107. John Denvers	40
16. W. Johnston, sr	250		
18. E. A. Duffy	35	Total	3,625
24. R. L. Skeen	550		

On none of the other 90 claims was any payment made.

AMERICAN CONSULATE,
Apia, Samoa, July 12, 1911.

His Excellency Dr. SCHULTZ,
Acting Imperial Governor, Apia, Samoa.

SIR: In connection with the investigation which I am making of the so-called American-Samoan war claims, it becomes important to

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obtain certain information regarding the disposition made of some of the German claims growing out of these disturbances.

As you were so kind as to advise that you would assist me with the information in your possession or under your control, I now respectfully request to be advised.

(1) Whether or not any award was paid by the German Government to Henry Huch on account of his interest in a lighter belonging to the firm of Harrington & Huch; and if so, in what amount.

(2) Whether or not any award was so paid to C. W. Partsch on account of damage done to belongings in the Tivoli Hotel; and if so, in what amount and for what items.

(3) Whether or not any award was so paid to C. Pullock on account of losses suffered in the place of his residence at Lotopa; and if so, in what amount and for what items.

(4) Whether or not any awards were so paid to any persons because of arrest or imprisonment during the troubles in question; and if so, to what persons and in what amount. In this connection I may add that it is my understanding that Messrs. Marquardt and Hufnagel, German subjects, were so arrested or imprisoned, or both.

(5) Whether or not any awards were so paid to any persons because of loss of time from business, or for loss of prospective profits in business, or for any other cause (except as above indicated) besides actual property damages.

In case that your excellency should see fit to permit me to inspect the report of the commission upon which the German awards were paid, which favor would be much appreciated, I could presumably obtain the above information myself, and it would then be unnecessary for the officials under your charge to concern themselves further with the details above set forth.

In any event, may I trouble your excellency to advise me if you see no objection thereto, whether or not your Government disbursed in the payment of these awards a larger amount than the $40,000 which was paid in therefor by the American and British Governments, and if so, how much was added to that amount.

Thanking your excellency for the courtesy which you have heretofore extended to me, and trusting that you will see your way clear to place me under further obligations to you by furnishing me with the desired information.

I have the honor to be, sir,

Your obedient servant,

JOSEPH R. BAKER,
American Vice and Deputy Consul.

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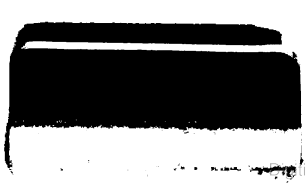
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